

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

MARCH 13, 2014

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Complex, 201 West Gray Street, on the 13th day of March 2014. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

Vice Chair Sandy Bahan called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Curtis McCarty
Jim Gasaway
Roberta Pailes
Tom Knotts
Chris Lewis
Cindy Gordon
Dave Boeck
Sandy Bahan

MEMBERS ABSENT

Andy Sherrer

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Jane Hudson, Principal Planner
Janay Greenlee, Planner II
Ken Danner, Subdivision Development
Manager
Roné Tromble, Recording Secretary
Leah Messner, Asst. City Attorney
Larry Knapp, GIS Analyst II
Terry Floyd, Development Coordinator
David Riesland, Traffic Engineer
Scott Sturtz, City Engineer

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Item No. 2, being:

ELECTION OF CHAIR FOR 2014

Vice Chair Bahan asked for nominations for the position of Chair for 2014.

Curtis McCarty nominated Dave Boeck as Chair for 2014. Roberta Pailes seconded the nomination.

Vice Chair Bahan asked if there were any other nominations.

There being no further nominations or discussion, a vote was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Tom Knotts, Chris Lewis, Cindy Gordon, Dave Boeck, Sandy Bahan
NAYES	None
MEMBERS ABSENT	Andy Sherrer

The motion to elect Dave Boeck as Chair for 2014 passed by a vote of 8-0.

Vice Chair Bahan turned the meeting over to Chairman Boeck.

Chairman Boeck asked for nominations for the position of Secretary to fill the office vacated by his election as Chair.

Tom Knotts nominated Cindy Gordon as Secretary for 2014. Jim Gasaway seconded the nomination.

Chairman Boeck asked if there were any further nominations.

There being no further nominations or discussion, a vote was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

The motion to elect Cindy Gordon as Secretary for 2014 passed by a vote of 8-0.

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NON-CONSENT ITEMS

Item No. 3, being:

APPROVAL OF THE FEBRUARY 13, 2014 REGULAR SESSION MINUTES

Curtis McCarty moved to approve the minutes of the February 13, 2014 Regular Meeting as presented. Sandy Bahan seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

The motion to approve the minutes of the February 13, 2014 Regular Meeting passed by a vote of 8-0.

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Item No. 4, being:

SHAY DEVELOPMENT – EAST LINDSEY STREET

4A. R-1314-98 – SHAY DEVELOPMENT REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR PROPERTY LOCATED ON THE SOUTH SIDE OF LINDSEY STREET APPROXIMATELY ½ MILE EAST OF 24TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Staff Report
3. Pre-Development Summary
4. Greenbelt Commission Comments
5. Excerpt of Planning Commission Minutes – February 13, 2014

4B. O-1314-35 – SHAY DEVELOPMENT REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO R-1, SINGLE FAMILY DWELLING DISTRICT, FOR PROPERTY LOCATED ON THE SOUTH SIDE OF LINDSEY STREET APPROXIMATELY ½ MILE EAST OF 24TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Preliminary Plat

4C. PP-1314-13 -- CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SHAY DEVELOPMENT (MORRIS ENGINEERING & SURVEYING) FOR STONE LAKE ADDITION, GENERALLY LOCATED ON THE SOUTH SIDE OF LINDSEY STREET APPROXIMATELY ½ MILE EAST OF 24TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts

PRESENTATION BY STAFF:

1. Ms. Greenlee – As you stated, we're here for Shay Development. We're looking at a Norman 2025 Land Use and Transportation Plan amendment from Future Urban Service Area to Current Urban Service Area on the south side of Lindsey Street approximately one-half mile east of 24th Avenue S.E. We're also looking at a rezoning from A-2, Rural Agricultural, to R-1, Single Family Dwelling, and consideration of a preliminary plat for Stone Lake Addition. The existing zoning is A-2. Right now it has a single family home and the rest of the land is vacant. This is the preliminary plat showing one entrance off of Lindsey on the south side of the road. This is an aerial of the proposed site. You can see some of the development that is going on around it. Right south of that site is designated R-1. You can see Eastridge and Reagan Elementary that is on the west of that site along 24th. Across the street you also have a PUD for single-family homes. To the east there are residential estates and across the street to the north is also residential estates. On both sides of this proposal remains A-2. This is an overview with the aerial underneath to give you the idea of the existing zoning as it right now stands. RE up in the northeast corner happened in 83-84. We've got R-1 in 03-04 to the south. You have some higher density to the west. This is the existing site itself. Across the street is Sienna Springs.

We did have a letter of concern. At the Pre-Development meeting one gentleman that was directly on the east side of the proposed tract had concerns for some eastern red cedars to remain. He wrote a letter requesting that a three foot easement be granted for the existing eastern red cedars to remain as a wind row. The developer, at the Pre-Development meeting, and it is in the Pre-Development notes, stated that no trees currently can be removed over 8" caliper trees. So any tree that's 8" or above in caliper would remain. But there has been no

easement granted. Two things that we look at when we're looking at a land use plan change is development in the area that will not be contrary to the public interest and if transportation is an issue. There are no negative traffic impacts and Public Works has stated that all public improvements have been met. They will be widening 26' on the south side in front of this development to prevent stacking on Lindsey Street for traffic heading east. The Parks Board recommended fee in lieu of. With the surrounding development that's happening right now in that east side of Norman – the new school, new businesses on the east side of Norman – staff supports the proposal. Staff recommends Ordinance No. O-1314-35, Resolution No. R-1314-98, and Preliminary Plat 1314-13. I'd be happy to answer any questions.

2. Mr. Knotts – Does the drive coming out of that line up with Sienna Springs?

3. Ms. Greenlee – No, it doesn't. It meets the required setback – meets the required differential. 48 new homes that will all meet the R-1 requirements for setbacks. Detention and a lift station have been proposed on the site.

4. Mr. Knotts – In the documents, there was a conversation about an artesian well or spring that is there.

5. Ms. Greenlee – The applicant's representative, Ross Morris, is here and I'm sure he can expand on that question for you. I do not have that information.

6. Mr. Knotts – I happened to look at this property about twelve years ago. It has zero perc. It would be pretty difficult for that many homes because it's all going to be – without any vegetative cover in all of that space is going to basically run off. I'm worried that that's kind of right in heart of that developing area.

7. Ms. Greenlee – I can say that Public Works has given approval to everything that has been submitted by the developer and has approved all of those engineering solutions. If you have further questions, I'd be happy to answer them.

PRESENTATION BY THE APPLICANT:

1. Ross Morris, Morris Engineering, the engineer for the applicant, was available to answer questions but did not make a presentation.

2. Mr. Knotts – You don't have any preliminary proposals for the spring?

3. Mr. Morris – Well, it's actually not determined that there is a spring. An adjacent neighbor had brought it up and he thought that there might be a spring there. The pond back there – he's saying that he thinks there's a spring. We've got a geo-tech that's investigating the potential for that. If there is one, it's possible to drain it, put an under-drain system in to take care of it so that it doesn't negatively impact any of the housing. In that corner, there's a pond in that corner that drains out to the south. That's where the water is going today, so that's where it would have to go. We can't divert it and send it somewhere else. It would just have to follow that track. On the lower right, see that small circle? That's that small pond there. It doesn't have much drainage area to it. But that's the area that he's thinking that there's a spring. We've got a geo-tech company that's investigating the potential of that. If it's there, you can see how it drains to the south. We would also have to drain it to the south.

4. Mr. Knotts – Is that where the detention pond is?

5. Mr. Morris – The detention pond – there's another in the upper left of it. You can see those contour lines and how they deflect over and back around. There's an existing pond there that has a larger drainage area to it. That's where our detention pond is going to be. This pond

is going to be taken out. Like I said, you can see it doesn't have very much of a drainage area to it. Our detention will be all in that larger area. It's going to be a retention. We're going to have some water and provide a water feature. I want to call it a pond.

6. Mr. McCarty – Just a little clarification. The circle is detention where there could be a spring. If you do find a spring, are you going to vacate those two lots and make a detention pond?

7. Mr. Morris – No. We can create an under-drain system in there so that it's not a problem. It under-drains out to the same place where the pond drains to now.

8. Mr. Boeck – But I thought detention and drainage requirements required detention before equals detention and drainage after.

9. Mr. Morris – Detention is for surface drainage. A spring is underground. The water is percolating back out at that point out of the ground. That's just a situation we're going to have to handle with our geo-tech at that point. It hasn't been determined that that's what's happening there.

10. Mr. Knotts – If the spring is filling the pond and you drain the pond, you're just going to pipe it to the edge of the property and let it go?

11. Mr. Morris – Right. That's where it's going today. If there's a spring there, it's not being detained at all. It's coming up into the pond and then rolling back out around it in the drain of the pond. If you've got a spring then it's constantly feeding and draining.

12. Mr. Knotts – I've got that definition. But if you constantly put a flow out of the property where there hasn't been a constant flow it seems like that's a problem.

13. Mr. Morris – Well, there has been a constant flow out. If there's a spring, there will have to be a constant flow. A spring pushing water into the pond, irrespective of dry periods or wet periods, it's just draining through and draining out of the pond. Typically there's constant drainage back out.

14. Mr. McCarty – Switching gears from the pond and the spring. Tell us about the cedars. Where are they located? And is there already an easement in that area?

15. Mr. Morris – They're located in the northeast corner along that property line there. We don't have any intentions of taking them out or any reason to take them out. It wasn't something we were disagreeable to because they're on the property line.

16. Mr. McCarty – Are they on the applicant's property or the neighbor's property?

17. Mr. Morris – They're right on the line between us. They were planted right along the line there.

18. Mr. McCarty – They're actually on the property line?

19. Mr. Morris – Yes.

20. Mr. McCarty – What if those people want to put up fences?

21. Mr. Morris – Well, they can build them on the inside of that row of trees.

22. Mr. Knotts – Do you anticipate having to bring in dirt into the area where those lots are and the trees are?

23. Mr. Morris – No. No, we don't anticipate bringing any dirt in there.

24. Mr. Knotts – Cedars are real sensitive about overburden on top of the roots.

25. Ms. Pailes – It looks like there's a power line going diagonally across the northwest corner. Is that a power line or is it something else. It might be a different easement. You can see it on the map but you can't see what it is. It's a tiny little easement dotted line. On the aerial photos it looks like a power line.

26. Mr. Morris – We've shown our sanitary sewer line. There's no power line coming across. There's a house on there that's going to be removed. It might be a drop line to the house.

27. Ms. Pailes – I was curious, again, looking at the aerial photo, it looks like there's a street named Glen Oaks that approaches from the west side that comes close to where your detention pond area is.

28. Mr. Morris – That property is vacant to the west of us. On the other side of that property?

29. Ms. Pailes – Yeah. It looks as though if you had sidewalk perimeter around the detention pond that you would almost have an interior way for kids from this neighborhood to get to Reagan Elementary without going down Lindsey. I was just wondering if you had investigated that at all.

30. Mr. Morris – To put a sidewalk around the detention pond?

31. Ms. Pailes – So you could get around it and go down Glen Oaks and have an interior way to get to Reagan Elementary without taking kids out onto Lindsey.

32. Mr. Morris – Actually, in staff and my discussion, I don't think we've ever brought that up. I don't know if we ever discussed that.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend adoption of Resolution No. R-1314-98, Ordinance No. O-1314-35, and PP-1314-13, the Preliminary Plat for STONE LAKE ADDITION, to City Council. Jim Gasaway seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-98, Ordinance No. O-1314-35, and PP-1314-13 to City Council, passed by a vote of 8-0.

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Item No. 5, being:

BILLY & DIANA LOCH – 5451 BROADWAY

5A. R-1314-110 – BILLY AND DIANA LOCH REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM COUNTRY RESIDENTIAL DESIGNATION TO VERY LOW DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY LOCATED AT 5451 BROADWAY.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Staff Report
3. Pre-Development Summary
4. Greenbelt Commission Comments

5B. O-1314-42 – BILLY AND DIANA LOCH REQUEST REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO A-1, GENERAL AGRICULTURAL DISTRICT, FOR PROPERTY LOCATED AT 5451 BROADWAY.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Preliminary Plat

5C. PP-1314-14 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY BILLY AND DIANA LOCH (RON SMITH/CENTERLINE SERVICES, L.L.C.) FOR SYCAMORE ACRES, FOR PROPERTY LOCATED AT 5451 BROADWAY.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts

PRESENTATION BY STAFF:

1. Ms. Greenlee – Billy and Diana Loch are requesting a Norman 2025 Land Use and Transportation Plan amendment from Country Residential to Very Low Density Residential Designation at 5451 Broadway and rezoning from A-2 to A-1 and consideration of a preliminary plat for Sycamore Acres. The existing zoning is A-2. The existing land use – there's one single-family home currently on the tract – a little bit more than 10 acres, right off of Broadway. This is the site and the entrance into the single-family home. This will be the only entrance into this site. When the tract is divided, the front will be approximately four; the rear lot will be approximately six. There will be a cross-access agreement for the drive. That will be the only curb cut that will remain so both single-family homes will share that driveway and that entrance. This is Broadway looking back to the east and just the surrounding land use. This is across the street to the south. To the west – and there are residential estates somewhat scattered in this area. This is right next door to the west. The preliminary plat – that is a proposal on how the tract will be divided. A-2 only allows for ten-acre and going to the A-1 you can have less than the ten acres. So this is the reason for the lot split so the applicant can maximize on his land value and plans to build a single-family home on the rear lot. There are no negative traffic impacts for the surrounding development. Staff does support Resolution No. R-1314-110 and Ordinance No. O-1314-42 and the preliminary plat PP-1314-14. I'd be happy to answer any questions regarding this proposal. The applicant is here if you have any questions of the applicant.

PRESENTATION BY THE APPLICANT:

None

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend adoption of Resolution No. R-1314-110, Ordinance No. O-1314-42, and PP-1314-14, the Preliminary Plat for SYCAMORE ACRES, to the City Council. Chris Lewis seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend approval of Resolution No. R-1314-110, Ordinance No. O-1314-42, and PP-1314-14 to City Council, passed by a vote of 8-0.

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Item No. 6, being:

INEZ STRATEGIER – 4903 EAST ALAMEDA STREET

6A. O-1314-38 – INEZ STRATEGIER REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO A-1, GENERAL AGRICULTURAL DISTRICT, FOR PROPERTY LOCATED AT 4903 EAST ALAMEDA STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Certificate of Survey

6B. COS-1314-4 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY INEZ STRATEGIER (VMI INSPECTION, INC.) FOR STRATEGIER ACRES, FOR PROPERTY GENERALLY LOCATED AT 4903 EAST ALAMEDA STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Certificate of Survey
3. Staff Report

PRESENTATION BY STAFF:

1. Ms. Hudson – This application is rezoning from A-2 to A-1, as well as the consideration for a Norman Rural Certificate of Survey. This is the existing zoning in the area. As you can see, the majority is A-2. There is one piece of RE to the west of this subject tract. The existing land use out there is all residential – single-family homes. Down in the southwest corner there is a school – Washington School and there's a church over to the west. This is the existing home that is on the 36-acre tract. This is just the additional land as it goes out toward the east. This home sits on the western boundary of the property and then continues over to the east. This is the home that's to the west of this subject tract. This is looking east on Alameda. This is looking back west on Alameda; 48th is in the distance. This is the vacant land that is on the south side of Alameda. This is the copy of the Rural Certificate of Survey for that tract. As stated previously in the other presentation, when you have A-2 property you're required to abut a public street or road that has been officially opened by City Council. In this case they were trying to divide this into approximately three lots with about ten acres on each tract, but they couldn't really get that organized. So we suggested that they go with A-1 to have that flag-shaped lot on Lot 3. In A-1, you're only required to abut a public road by 35 feet. So that saved them some investment as far as dividing the property off and having to put roads in – public improvements and such. Like I said, it will be single-family homes on this lot. There will be protective covenants in place for the area of the WQPZ on Lot 3. Staff does recommend approval of Ordinance No. O-1314-38 and the Certificate of Survey No. COS-1314-4. We received no protests for this application. The applicant is here if you have any questions for him, but he does not have a presentation for you. I'd be happy to answer any questions as well.

2. Mr. Knotts – The water quality protection zone cannot be built in. Is that correct?

3. Ms. Hudson – It cannot be built in, but it can be crossed.

4. Mr. Knotts – Whatever they're going to do here is going to be on the eastern part of that particular lot. I live next to one of these kind of situations and the arrangement that the – I can't remember what the term was that both properties use the same drive.

5. Ms. Hudson – Cross-access agreement.

6. Mr. Knotts – Can that happen here?

7. Ms. Hudson – No. Lot 3 has it's own – that is actually the lot that comes down to Alameda there. So that will be their own access up to that lot. Lot 2 will have its access and Lot 1 already has the existing access for that home that's there.

8. Mr. Knotts – My reason that I bring this up is that I live about where Lot 2 says – on another lot, obviously – but I have a 50' lane that comes up to another property. It continually looks bad. So I was thinking that perhaps the best thing for people that might buy Lot 2 and for Lot 3 is a cross-utilization of that particular drive in order that Lot 2 possibly will be the first one developed and they can at least take care of it, as opposed to having it fenced.

9. Ms. Hudson – I'm not sure that I can actually answer that question.

10. Mr. Knotts – Well, it's really not a question that needs an answer. You're standing here and I'm talking to you hoping others hear.

PRESENTATION BY THE APPLICANT:

None

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend adoption of Ordinance No. O-1314-38 and COS-1314-4, the Norman Certificate of Survey for STRATEGIER ACRES, to the City Council. Roberta Pailes seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-38 and COS-1314-4 to City Council, passed by a vote of 8-0.

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Item No. 7, being:

O-1314-39 – MADOLE FAMILY REVOCABLE TRUST REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO A-1, GENERAL AGRICULTURAL DISTRICT, FOR APPROXIMATELY 25.6 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF CEDAR LANE ROAD BETWEEN 12TH AVENUE S.E. AND THE B.N.S.F. RAILROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Applicant's Description of the Project
4. Expanded Preliminary Plat
5. Pre-Development Summary

PRESENTATION BY STAFF:

1. Ms. Hudson – Another rezoning application from A-2 to A-1. As you read in the staff report, this is more of a housekeeping rezoning. To the north of this property – of course, this property fronts Cedar Lane. The owners of this property owned the pink designated PUD development to the north. They have sold that. That has been rezoned and platted to become a Planned Unit Development for student housing. It's under construction. The one to the north of that one is actually now complete. This one is now under construction but you can see on the lots there that when they sold off that strip, it decreased the acreage on some of those lots down there, and then also created some problems for them to possibly get building permits at a later date on a lot that wasn't large enough in the A-2 zoning district. So staff recommended at that time that they move forward with a rezoning to bring it down to A-1 because some of the acreage is now under the ten acre minimum for A-2. This is the site itself. Like I said, it's all the way along Cedar Lane there. It goes from the railroad tracks almost down to 12th. This is the site. You can see the apartments in the distance being constructed. There are several homes on those tracts down there. There are single-family on the south side of Cedar Lane across from this rezoning request. As I stated, this is basically a housekeeping application to keep the lots legal for future building permits should they need to apply for any construction. Staff does recommend approval of Ordinance No. O-1314-39. Again, no protests were received for this application. The applicant's representative is here. If you have any questions about the rezoning of those tracts, he would be happy to answer the questions.

PRESENTATION BY THE APPLICANT:

None

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Jim Gasaway moved to recommend adoption of Ordinance No. O-1314-39 to City Council. Tom Knotts seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-39 to City Council, passed by a vote of 8-0.

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Item No. 8, being:

O-1314-40 – NORMAN NEW LIFE BIBLE CHURCH REQUESTS SPECIAL USE FOR A CHURCH, TEMPLE OR OTHER PLACE OF WORSHIP FOR PROPERTY CURRENTLY ZONED I-1, LIGHT INDUSTRIAL DISTRICT, LOCATED AT 3308 BROCE COURT.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Aerial Photo/Site Plan
4. Site Map
5. Interior Layout
6. Pre-Development Summary

PRESENTATION BY STAFF:

1. Ms. Greenlee – Norman New Life Bible Church is requesting Special Use for a Church, Temple or Place of Worship for property currently zoned I-1, Light Industrial. It does allow a church as a special use. This property is located at 3308 Broce Court. The existing zoning is I-1 and you can see the I-1 that's around it with PUD to the west. There is a vacant building currently at that site. The applicant will reconfigure the parking lot. Currently parking for a church is one per every four sanctuary seats. The parking requirement is met. There are about 222 seats, so they have to come up with about 58 parking spaces. They're well over that. They are designing the parking lot to accommodate all the traffic circulation. To the west there is a Planned Unit Development; currently that land is vacant and getting ready to be developed. There is more industrial to the north. I was there during the CCS pick-up time at 3:00 – which actually moves pretty fast. Office warehouse use all around. The proposal for this building is a vacant warehouse office use. The church is requesting the special use for the church. Staff supports the proposal. With the site plan that they've submitted, they meet the parking requirement. The church will hold services basically on Sunday, maybe one youth service in the evening on Sunday, and occasional small group meetings after business hours – after 6:00. There will be no negative impacts with any other surrounding businesses with traffic concerns. Staff does recommend the special use, Ordinance No. O-1314-40. I'd be happy to answer any questions. The applicant is here to make a presentation.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Drive – I'll be very brief since there are no questions. This is a Special Use. Janay took you through it. I want to show you a couple things. That is the site plan for the property. It will be reconfigured in the parking to provide well over 100 spaces. Again, as you heard from staff, there's only a need for a little over 50, so we're providing double the parking for this site. That's the interior plan for the site. You see the sanctuary with about 211 seats – relatively small church is what we're talking about. No protests. No persons even came to the Pre-Development hearing. No zoning change. No plan change. Already platted. Very straight-forward. Staff supports and we appreciate your support as well. Happy to answer any questions.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend adoption of Ordinance No. O-1314-40 to City Council. Tom Knotts seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-40 to City Council, passed by a vote of 8-0.

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Item No. 9, being:

O-1314-41 – CHAD AND HELEN BARTLETT REQUEST SPECIAL USE FOR A CHURCH, TEMPLE OR OTHER PLACE OF WORSHIP AND SPECIAL USE FOR A CHILD CARE FACILITY FOR PROPERTY CURRENTLY ZONED R-1, SINGLE FAMILY DWELLING DISTRICT, LOCATED AT 2101 WEST BOYD STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Applicant's Description of the Project
4. Aerial Photo
5. Site Map
6. Pre-Development Summary

PRESENTATION BY STAFF:

1. Ms. Hudson – Once again we have an application for a Special Use for a church, temple or other place of worship and a Special Use for a child care facility for the property currently zoned R-1 at 2101 West Boyd Street. The existing zoning within this area, as you can see, is R-1. There is a Planned Unit Development to the west. The majority, though, is R-1. Alcott Middle School is over to the east, as you'll see in some photos. The existing land use is residential. The school is institutional. Church to the south. Fire station and another church off to the west. This is the site itself. It fronts Boyd. Jean Marie runs down the east side of this house. This is on Jean Marie looking north. This is on Boyd looking back to the east. And then this is Alcott School. This is looking to the west – the fire station there in the distance. This is actually the applicant's church, which is across the street from the subject tract. This is their parking area that's in the rear. In the R-1 zoning district a church is a permitted special use. Child care facility is a special use that is allowed under the umbrella of a church. The applicants have recently purchased this site with the goal of utilizing the site for miscellaneous church activities, such as youth groups, senior couples classes, and so on and so forth, as well as the pre-K program Monday through Friday – 8:00 to 5:00, I believe, is the time. The church-related activities will be Wednesday evenings and then on Sundays. As staff stated in the staff report, due to some of the discussion we had at the Pre-Development meeting, the applicant and their representative have proposed some additional conditions of approval, and these conditions of approval will limit the uses that are allowed at this site. Those were also listed in your staff report in the agenda. As stated, the house does face Boyd. It's in close proximity to Alcott Middle School and the church and its uses – they are existing in this neighborhood. There are no new uses requested with this application before you tonight. Staff does recommend approval of Ordinance No. O-1314-41 for the Special Use for the church and the child care facility.

We did have protests. The protests were submitted by the property owners of record at the County Assessor's office, reaching 34.9% protest within that 350-foot notification area. The applicants are here, as well as their representative. They do have a presentation for you. I'd be happy to answer any questions. If not, I'll hand it over to them.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Avenue, representing the applicant – Thank you, Mr. Chairman. This is the GoChurch on the site on West Boyd. What I want to talk to you about a little bit is how this is not any expansion of any particular use. You heard Ms. Hudson tell you, in fact. One of the key points of staff's approval of this is that this is not an expansion of anything that is already happening on the property of GoChurch. It is simply a relocation of an existing function they have that they are in need of relocating to another building and that is the solution before you. This is a relatively small church. Their entire congregation is less than 100. They have a pre-K program that operates in a house currently on their property. That house really needs to be put to the use of storage more than the use of having kids in it at this point. So their goal is, with your approval and Council's approval, is to shift the pre-K program from the existing house into this building on Boyd. Let me take you through the area so we can see a better presentation of how it looks. This is the site right there – 2101 West Boyd. The GoChurch

facility is right here, across the street. And this little house right here – it's called the Shepherd's House – that is where they run a pre-K program right now. That house has seen better days, let me say it that way. That house needs to be transitioned to storage more than anything else. And to do that, their goal then is to move the pre-K program into this house right here. It sets up well, as you saw in the slides just a few minutes ago. It's actually a very natural fit in that when you're standing in the front of this house you're looking straight across the street at the church. When you're standing in the front of this church, you're looking straight across the street at this house. They front each other. This, as you can see, is the only house that fronts Boyd in that area. The rest of Jean Marie Drive fronts Jean Marie. What I want you to notice about 2025, when you look at this screen, is all of the blue, and you'll see it again on another slide. This area of Boyd, from Berry to 24th, is reknowned for churches and schools. It has two school zones. It has crossing zones. It has signage. It has lights. It has all the things that we like to see around schools and kids. It's already there. It's already set up for it.

This is the zoning. What we're asking you for is a Special Use permit. You heard staff talk about that. But it's important when we look at a zoning map and we talk about special use is that we understand that a special use does not change the zoning, nor does it change the 2025 Plan. Special Use is a very particular item of zoning that allows a specific purpose to be put on a property and nothing else. It does not change the underlying zoning. This is property taken from the GIS maps, and you can see again basically it fronts onto Boyd, unlike the rest of the houses of Jean Marie, and you can see it very clearly right there – all the driveways and houses of Jean Marie face into the street here. This one does not. It's any oddity. This one faces down onto Boyd and looks directly across the street at the church building over here. This is the Shepherd's House right over here where they currently operate the pre-K program and that's the program they need to orient over across the street.

The site plan. There's no changes, really. We have requested a circular drive. We're in discussions right now with staff as to whether that should occur here or whether the circular drive should occur over on Jean Marie. We prefer it right here, but we're happy to do either one. We would propose a six-foot stockade fence around the entire back yard. That is fairly standard when you have a use of this type. We're happy to do that as well. That's really the extent of the changes. It will still look like a house and it will still have the same character that is there today.

That's an aerial of what you're seeing on the street. This is Boyd right here. This is Alcott right up here. This is Jean Marie Drive. You can see it again very clearly here now. You see these houses all oriented to each other right here. They're all looking into Jean Marie. This house is not. This house orients down onto Boyd. And if you look, it's almost like they were built to face each other. This house faces straight across the street at the church and the church faces straight across the street at this house. We're simply asking to move the program that currently exists right here, without any expansion of that program – we're not adding kids; we're not adding teachers; we're not adding any additional functions. We simply want to move it from that building to this building. That's it. That's the extent of the request tonight, and to also use this building, just as this one is, when the kids aren't there, to be available for small church meetings. Again, this is a congregation of less than 100. We're not talking about large crowds that would be using the house of this nature.

This is another thing I want to show you to reiterate how much of a dominant corridor this is for churches pre-Ks and schools. You see all the blue. The green is a park. The blue. All of these churches or schools, from Berry to 24th. Two different school zones. Many, many different sites of churches and schools along this corridor.

You saw from staff the slide a few minutes ago, but I think this is important to show you, too, that on the left is this house. On the right is the church. And just before you get to them it's a flashing light of a school zone. And right when you get up to the next thing is a signed corridor for a crosswalk across the street. This is already set up very, very well for a school zone, for churches, for small kids. It's already there. It's set up perfectly. We've had other discussions here before very recently of large schools – other schools that were put on very busy streets that did not have those functions and those got approved. This one already has those functions – flashing school zones and crosswalks and for a much smaller purpose than the other ones we

have seen. This, again, is that house that you see facing Boyd. No additional uses; simply a relocation. This is the intersection right here. You even see it's already posted as a school children's crossing zone and already has a median and a crosswalk.

Special use. I want to spend just a few minutes about that. A special use permit, again, does not change the zoning. It remains R-1. Special use expires if you don't use it – it goes away automatically. And it's only transferrable upon some very specific conditions in the code. If you're going to transfer a special use, you have to pay a fee to the City. You have to have the property inspected by the City. And that next transferee has to sign a written statement that says they accept all of the conditions of use and they shall abide by them. It's a very specific process. And that is the only way a special use is transferred. The zoning remains the same. 2025 remains the same. And the property here is already platted so there are no public improvements.

We did go into Pre-Development with the thought that we were in a very good relationship with our neighbors. We still believe that. We still want that. But you've seen the protest letters and they came out in force against this project. Much of what they've talked about, I would say, is Oxford House. In fact, almost every letter you read in the protest is talking about what is called the Oxford House. Oxford House is basically, in short, a drug rehab facility on Jean Marie Drive on the very north end. I want you to be very clear. We have nothing to do with Oxford House. We are not the Oxford House. We are a pre-K program. We're nothing like it. We don't cater to it. We don't have special counseling for them. There's no relationship there. It became apparent as I read through those protest letters that that has been a very bad experience in this neighborhood. Very clear. I think it would be unfair, though, to say that an Oxford House drug rehab building and the experience they've had with that should give you pause for this. They're very different. But, nonetheless, we heard their concerns and we did what you are allowed to do in a special use permit application. We are allowed under the current zoning code, on a special use permit, to, in effect, kind of make it like a PUD. We can write – it's in the ordinance. We can write what's called a "conditions of approval" document and that document actually gets filed of record in the County tax records on the property. There is no question, then, what that property can be used for and what it cannot be used for. On this application, we have taken the step to put forward a conditions of approval document. We're open to other suggestions if you see that there's holes in it or places that we could work on as well. Here is what we said. This property will be a maximum of 30 kids on the property, first floor only. That is basically the pre-K. And DHS would regulate this program, just as they do for any program like this. DHS has standards as to how many kids you can put in there. They come out basically quarterly and inspect; they see what you're doing. They very much would be able to see this site. There would be no kids younger than 3 years old. We really – primarily they would be no younger than 4 or 5 years old. We put 3 because you never know if one's birthday doesn't align with the actual dates of pre-K. The maximum number of people to meet at the house if they were to have a meeting on a Sunday or something of that nature when the kids are not there, we put 25 people. Parking would be across the street at the church. The hours of operation, again, for the kids would just be during the school time. For meetings we put no later than 10:00 p.m. We don't foresee, again, that that would be even taken to that time. No outdoor activities with any amplification – we could not use any speakers or anything of that sort. We will put a six foot tall opaque fencing around the back yard. The house cannot be used as a residence; nobody can live there. There would be no crisis meetings – that was important that we heard from the neighborhood. They did not want this to be, more or less, an outreach space for the church where we would have a food pantry or a drug counseling center or anything of that sort. We certainly understand that with their experience of the Oxford House down the street. We said that it cannot be used in similar fashion as temporary housing or a food pantry. We have put forth those conditions. Those would be binding on the property and subject to the special use permit.

You've heard a lot in the statements about traffic. What I want to compare to you is how this is actually a very low traffic corridor – Boyd Street. And actually compared to the rest of central Norman it's actually quite low. These are traffic counts. This is hard data. This is actual

data from the Association of Central Oklahoma Governments. They track traffic counts. And if you look at our location, right about 5,700 cars a day. You remember when Rose Rock was approved it was upwards of 30,000 cars a day. But what I want you to see here is basically that 5,000 cars a day is one of the lowest traffic counts anywhere around here. To get anywhere near the 5,000 cars a day, you really have to kind of start going over here to where First Christian Church is and First Baptist Church and McFarland, where they have children's programs as well. And those streets around that area are 3 and 4,000 cars a day, much closer to what we're talking about than the other very busy parts of even Boyd down by Campus Corner. This is not a high intensity traffic corridor. The intensity that it does see is very much traffic supervised by school crossing zones and even crossing guards now at Alcott and posted intersections.

I want to show you, too, that churches and pre-K programs, kids programs tend to do very well in neighborhoods. They're throughout Norman. And I'm just going to go through several examples of them that we've seen all over town. That's the Gingerbread. I think they'll mention it as well, probably, to you tonight. But this has been a successful program. Many people point to it and there has been a neighborhood all around it for years. One thing I would say, too, Gingerbread expanded on that site. We cannot expand. And any expansion we would even try would have to come back through this process. We're only talking about this house – no others.

This is Lincoln School – very busy Classen Street right here. You see their small kids playground area right here and all the houses around it. This is Wilson School and the Baptist church up on Peters. Here's their very small kids area right here and houses all around it right here. Busy Peters Street right here. Elementary school right here. We're starting to see the similarities. Alcott School and a small child program here and next to neighborhoods. Next to busy streets. This is Jackson School. Here is the small kids play area. Here's the houses right next to it. This is Kindercare on West Boyd right here and Victory Church right here. Houses right up against these uses. This is St. Stephens Methodist Church. Small kids area right here and houses right next to it. This is actually a Head Start program. And so we have many examples around town where this is extensive. It's not to be feared. You read a lot of fear in the neighbors' protest letters. And you see it based a lot on the Oxford House and uses like that. We're not that. We don't want to be that. And we don't plan to be that. We plan to be what has been successful in many other areas of town.

Staff does recommend approval for this project. As you saw in your staff report, the church and its current uses are pre-existing in the neighborhood. There are no new uses requested with this application, only a new location. There should be minimal impacts, if any, within the neighborhood. With that, we ask for your support tonight. I'm happy to answer any questions you have and I thank you for your consideration.

2. Mr. Lewis – I understand you have nothing to do with Oxford House. That is not an issue. This is a completely different scenario than Oxford House is, so I don't think it's going to be encumbering the neighborhood. I do have a concern, though, in looking at this bottom right-hand picture. I see a sidewalk between the existing home, which I believe is what houses the current program, and the church. That would lead me to believe that there is pedestrian traffic between the two. I understand from your presentation that we do have many areas in Norman where churches abut neighborhoods, so that's not a concern to me at all. What is a concern to me is when we talk about school children – and specifically, I believe, the maximum is ages 3 to 4 in this neighborhood, or ages 4 to 5. We're talking about very small children. When I drive over next to University Boulevard, I see children with ropes around their hands and they're walking down the street, and that is extremely concerning to me when you have a very busy street. I know you just shared the traffic estimates somewhere in the 5 to 10,000 car range. My concern is with Alcott School there, when a school is in session we typically have a crossing guard on staff allowing those children to go across safely, stopping traffic, ensuring the children are safe. That is my concern here, because I see the sidewalk, but I also see those children will be crossing that street as there will be no parking at that residence. Help me to understand how those children

are going to be ensured their safety. Are you going to have a crossing guard there? Help me out with that.

3. Mr. Rieger – I'd be happy to, Commissioner. Thank you for the question. Obviously, these kids will be escorted every time. In any way they're ever crossing that street they will be escorted with their teacher or with the staff. They will never be allowed to cross that street alone. In fact, I would suggest that the middle school kids who are clearly crossing that street unsupervised in many places – they have a crossing guard down at Garrison – probably present a far greater danger because they're unsupervised crossing the street than do the kids here who will be only crossing that street with supervision.

4. Mr. Boeck – What is the process for drop-off and pick-up? I know you put the circle drive in there, but that circle drive is nowhere – you showed Gingerbread, and it has a very long drive where 15 cars can pull in there. There's nothing like that here.

5. Mr. Rieger – No. In fact, their system will not change. What they do currently is they pull into the GoChurch facility and they drop off there in the morning, and the kids come to the main church building until they are all there, basically, and then they are walked over to the Shepherd's House as a mass. They will do the same thing here. And then at the end of the day, about 4:00 or so, they do the same thing. They do this now. They walk back to the main church building and they are picked up at the main building. They will do the same thing. The procedure will not change. They will be escorted by staff en masse after they are dropped off in the morning at the main building and at the end of the day they will be taken back.

6. Mr. Knotts – Then why are you trying to put a circle drive in?

7. Mr. Rieger – You see those a lot on Boyd Street. If the City does not want us to do that, that's fine. But it's common to look for that on Boyd Street to try to keep from backing out in the street.

8. Mr. Knotts – I understand. But I – perhaps poorly – leaped to the conclusion that that was being put there for drop-off and pick-up. If you're basically saying that the house is going to remain a house and have a different function, and everybody is going to be – all the kids are going to be escorted every time they cross the street, then I don't understand.

9. Mr. Rieger – Well, as a matter of convenience, basically, on these driveways is to simply have a way to move in and out quickly. But that, I know from the applicant at the time we filed this, is not of paramount concern. If that's a problem, we're happy to pull it off. Because the system will be, again, that they go to the main building and then walk over, back and forth.

10. Mr. Knotts – It appears that you're setting it up so that system can be modified in the future for pick-up and delivery.

11. Mr. Rieger – That would not be our intent.

12. Mr. Boeck – Because that was exactly my thought, as soon as I saw it there.

13. Mr. Rieger – That would not be our intent at all. I would say, as a side note ...

14. Mr. Lewis – If we put a circle drive in here, again, my paramount concern is children's safety. I'd rather a child be escorted in a car, getting out of the car right at the front door and a few cars back up on Boyd than having them cross Boyd, whether they're monitored or unmonitored. So a circle drive in the future, I think, is just proactive in thinking. So I actually have no issues with that whatsoever. In fact, I would applaud that more than having people drop

them off in the church parking lot and have them walk across a very busy street, whether escorted or not.

15. Mr. Rieger – Well, the thinking, to expand on it a little bit, is the system is that they all come to the main building and they're all escorted en masse. But certainly there will be a child that comes an hour late or whatever. Well, if he does, we would prefer that he comes to the house directly. And, if that is the case, then we would have a very small circular drive that he would pull in and drop off. But in no way is that intended to be the primary drop-off and pick-up.

16. Mr. Knotts – Well, I think Commissioner Lewis' point that he doesn't mind having two or three cars back up on Boyd is one of the major objections by the homeowners. I sat there yesterday afternoon at 2:30 for 30 minutes.

17. Mr. Lewis – Absolutely. So it's already there. It's already existing. What would be the hours of operation?

18. Mr. Knotts – Let me finish, Commissioner. I sat there and I saw very little opportunity to cross the street. Traffic, even though the count may be down, the speed is also down because of the schools. The traffic was just backing up in both directions. It's a fairly congested area, even in a non-rush hour – if there is such a thing for pre-K.

19. Mr. Danner – As far as the circle drive, staff cannot support a circle drive. I think it's stated in the staff comments.

20. Mr. Rieger – Can I expand on that, Mr. Chairman? We talked to staff about that, and the reason they don't support it is – basically, it's the rigid rule of the City that, when you are next to a side street – when you are a corner, the City regs say that it's end of discussion at that point. You cannot have – if you put a new curb cut – and that would be a new curb cut – it must go to the side street, not to the primary street. And that's why they are recommending denial of the circular drive. But the same report did say they would consider approving it if it went over to Jean Marie Drive. That's the essence of their concern is basically you would have to get a variance to overcome that regulation that says you cannot have a second -- any new curb cut cannot be on the primary street. It has to be on the secondary street. I talked to Angelo Lombardo about that. I did not hear from Angelo that there was anything beyond that as a rationale as to why they didn't want that.

21. Mr. McCarty – Can you talk to us a little bit about hours of operation, what their standard time is for drop-off, what time they usually walk to their facility, and what the time is of pick-up usually? And one other question would be the school zone – I see a crosswalk that's existing on the eastern side of Jean Marie. Where does the school zone stop and start for Alcott and what time – is it flashers or is it just posted signs, and what's the operation and the school zone time?

22. Mr. Rieger – Multiple questions there, Commissioner. Let me show you, first, this is the school flashing light right there.

23. Mr. McCarty – So that's about a block west?

24. Mr. Rieger – Actually, it is really close to the house. It is just on the west side of the house. You're not to the house yet when you see that flashing speed limit sign. But you see it right on the left. And then there is also this posted crosswalk for students crossing. So you have those two facilities right there. And then, of course, Alcott has the school zone going all the way on.

25. Mr. Boeck – But what time are those on?

26. Mr. McCarty – Go back to the first picture. I believe it's on the sign.
27. Mr. Rieger – It wasn't, Commissioner. It didn't say. I believe it's about 7:30 to 4:30 is most of the school zones.
28. Mr. McCarty – So that one is all day?
29. Mr. Rieger – No. It's in the morning and ...
30. Mr. McCarty – So what time are they usually – what's the drop-off time and what time do they usually cross the street.
31. Mr. Rieger – About 8:00 in the morning they en masse walk to the pre-K program. And then in the afternoon they en masse walk back at about 4:00.
32. Mr. McCarty – So what time would that be approximately that they would walk to the house? What I'm looking at is the timeframe between the time Alcott would start, the drop-off traffic, and the traffic there to the time they go to the house.
33. Mr. Riesland – The flashers would be on for Alcott roughly at 7:00 and would go off about 8:30, because they have a zero hour early timeline. It comes on about 3:15, I think, and goes to – it's like 3:30 to 3:55, or something like that, in the afternoon. I don't know exactly. It's in that ballpark.
34. Mr. Rieger – School actually lets out – the bell rings out at 3:40. So I think it actually goes a little bit past 4:00, if I'm not mistaken. There's a school guard at Garrison and Boyd. I drive by there very often.
35. Mr. McCarty – What time would they be crossing approximately to head to the main building?
36. Mr. Rieger – Probably about 4:00 in the afternoon they would go back to the main building to end their day and be picked up. They walk over about 8:00.
37. Ms. Pailles – The plan is to have about 30 children in the house?
38. Mr. Rieger – Maximum of 30. That would be the DHS maximum that would be allowed on the first floor only. You cannot use the second floor unless you sprinkle it. This house is not sprinkled. So the second floor would not be used. Only the first floor would be used and that would have a maximum of about 30.
39. Ms. Bahan – And how many adults would be with those 30?
40. Mr. Rieger – Two.
41. Ms. Bahan – So two adults are going to walk 30 kids across the street.
42. Mr. Rieger – Well, there's two adults that teach the pre-K program.
43. Mr. McCarty – Is that normal? Is there 30 every day? Is it an every day program, or ...

44. Mr. Boeck – This is just, I guess maybe, muddying the waters, but my curiosity is why didn't they just repair the house that they're already using, rather than purchasing the house across the street?

45. Mr. Rieger – Well, this was the best opportunity, Commissioner, really. This was a good opportunity to use this house as a function of the church. That existing house is really too far gone to rehab back into a plausible use as a pre-K program. You could do it. As you know, as an architect, you can rehab anything. But at some point everything has limitations on it and that house has literally reached that point. Long-term their vision is to continue to expand on the church property and that would probably be their goal on a longer term fashion. But right now, at the size of this congregation, which is quite small, this is the primary and best opportunity they have. And we believe they can do it reasonably.

46. Mr. Lewis – I do have a question. Mr. Rieger, let's put this in perspective. Alcott School – do you have any idea, or the staff have any idea, about how many students we have at that school?

47. Mr. Rieger – It's many hundreds. I want to say 500 or so.

48. Ms. Bahan – It's probably about 600.

49. Unknown – There's 760.

50. Mr. Lewis – And just estimating, many of those would ride school transportation. Do we have any idea what percentage of that 760 would ride school transportation?

51. Mr. Rieger – I do not, Commissioner.

52. Mr. Lewis – Wouldn't you say it's a fair number? Let's say half. So there's about 400-500 cars dropping kids off between the time school begins and the time school ends. And if we're talking about a maximum of 25-30 students at this home being dropped off, that's a miniscule amount of cars added onto Boyd Street, whether they're sitting on Boyd waiting to drop them off right there or waiting to pull into the church parking lot so they can cross the street. That should put it in perspective.

53. Mr. Rieger – If I may, Commissioner. Actually there are no new additional cars because this program is already there and they're already being dropped off and picked up on the church site as they will be after this. So there's no change.

AUDIENCE PARTICIPATION:

1. Carla Johnson, 2108 Reynolds Court – I'm going to talk about the objections against the special use permit application filed by GoChurch/Chad and Helen Bartlett for the house at 2101 West Boyd. The special use permit application lists Chad and Helen Bartlett as property owners, but one of the letters that they distributed throughout the neighborhood says that Go Kids/Go Church owns the property. Since the correspondence in this matter clearly link the house at 2101 W. Boyd with GoChurch activities, GoChurch will be referred to as the owner in this presentation. Just to place the situation in true context, here is the graphic shown at the Pre-Development meeting, and the following slide is the map sent by the City of Norman with the 350 foot impact radius. Jean Marie, right here, is a very busy street. It's a very long street for a cul-de-sac. So all traffic that pulls into Jean Marie, of course, follows down, heads north, turns around in the cul-de-sac and comes back south to Boyd. In effect, this doubles the traffic. And then, as we have heard of the concerns about Oxford House. Oxford House is right here at the end of the cul-de-sac and that's the transients walking the street, and most of the men can't drive, and so that's increased the traffic through the area, and the ones who do drive tend to

speed up and down the street. Here is an overlay of the 350 foot radius. With this area, we have the fire station, we have three neighborhood outlets. We have Bud Wilkinson Drive right here at the edge, and we have Jean Marie right here, and we have Nancy Lynn Terrace right here. And then, of course, we have the Alcott exit right here and all of this falls within this 350 foot radius. So, in effect, all of this area is affected. On Jean Marie, again with the long street with the cul-de-sac, you're going to have parents that arrive late or leave early or drop their children off in inclement weather, and all of this is going to cause illegal parking along Jean Marie, as the proposed circle drive will hold only three cars. Since it holds only three cars, others are going to back up onto Boyd or illegally park on Jean Marie, and those who enter Jean Marie, of course, are going to have to go all the way down, turn around at the cul-de-sac, and come back south to Boyd. We also have additional concerns about Fire Department or emergency EMT access when there are cars parked on Jean Marie.

Here's a front view of the house at 2101 W. Boyd and here's a side view. So some of the thoughts that come to us: is the back yard big enough for 30 children playing? Will the fence extend into the side yard or the front yard? Is that going to detract from the neighborhood aesthetics? And then are there going to be any exterior modifications, like an outside fire escape or anything like that that's going to be required by DHS? And then, on this bottom picture, you can really see – this is the home we're talking about and this is really, really close to our neighbors. So we're asking neighbors to have to put up with the noise of 30 children playing and then from youth group music, meetings, and any other events held at the facility.

The red dot is the 2101 W. Boyd, and all of the yellow dots are other neighboring houses. So when any meeting ends late, the residents are going to hear all the car doors slam, all the engines starting, all of those kinds of things for anyone who parks on Jean Marie.

If GoChurch gains a foothold for pre-K at this address of 2101 W. Boyd, what's to stop them from adding houses like the Gingerbread Nursery did at 602 Villa? Gingerbread has acquired three houses over the years and it all began with one. And so once GoChurch has a foothold, it's going to be easier for them to add other houses and harder for the residents to prevent it.

Here's an article by the Norman Transcript letting us know that the Norman Police is already on saturation patrol because the traffic artery is already so saturated by Alcott Middle School and OU and it's essential for Fire Department response.

Due to the high saturation of the vehicles on West Boyd, these mobile speed limit signs are becoming commonplace. So is it really wise to have these preschoolers crossing Boyd?

It's already difficult to gain access to Boyd from Jean Marie right here, from Nancy Lynn, and from Alcott. So even if the pre-K begins and ends at different times than Alcott, that really basically means the residents aren't going to ever have a traffic break. And then, of course, as we all know – any of us who have had children, there are always a lot of after school activities: games, practices, concerts, meetings – all kinds of things like that. And also we have the traffic of OU students, faculty, and staff around 5:00 that increases the traffic.

West Boyd is a clear line of demarcation from Bud Wilkinson Drive – this bottom part is the picture extending from the top – to Berry Road. So there's homes on one side of the road and then businesses, churches, parks, and other schools on the other. At this time, we don't have businesses, churches, or parks or schools that face each other from opposite sides of the street. So this special use permit would set a new precedent. We would have non-home across from non-home, and once this first happens it will be a lot easier for others to occur.

So when you start looking at neighborhood feelings against the special use permit, this is north of Boyd. Everywhere there is a red X is where someone has signed a petition and/or written a letter against. NA the homeowner wasn't available, and V is a vacant home. And we have the same set-up for south of Boyd to represent the folks south of Boyd.

Then when we look at the 350 foot radius – the majority of the folks in that 350 foot radius and beyond are against the special use permit. Property values will unnecessarily suffer for those closest to 2101 W. Boyd, just as they have for those homes closest to the Oxford House at the north end of Jean Marie.

This is the current location. Here is the Shepherd's Place for pre-K and the GoChurch, which you guys have already seen several pictures of that this evening. The GoChurch footprint has about four plus acres, and right now they have two current entrances for drop-off and pick-up – this one here and then this one in front of the Shepherd's House. So, clearly, they have other options. They can use this main building. They have ample room right here for drop-off, pick-up and parking. They have this extra space here for further expansion, or they could renovate the Shepherd's Place.

Benefits of keeping GoChurch activities on the south side of Boyd. It would preserve the neighborhood quality of life, protect property values, minimize traffic and illegal parking, minimize congestion for fire, police and EMTs, minimize noise on neighbors, particularly the elderly, and increase the safety by eliminating need for children and others to cross busy Boyd.

Here we've included – it's a sad situation where a gentleman accidentally ran over his 4-year old child when he was dropping him off from daycare. This is something we would never want to see in our community. I'm sure it hit their community hard.

In closing, the interests of the adjacent neighborhoods seem to outweigh the desire by GoChurch and the residents have spoken loud and clear. There is no compelling need for GoChurch to intrude into the neighborhood across Boyd, as GoChurch has several other safer options. And the last thing residents of Jean Marie need is to be bookended by facilities. You know, we realize that they're not part of Oxford House, but now Jean Marie is going to have Oxford House on one end at the north and GoChurch at the south end. So the further loss of property values and neighborhood self-esteem would be too great and extremely unfair.

2. Kristen McCall, 1602 Denison Drive – I have a 3-year old who attends GoChurch. I've never been a part of a place that's ever been more respectful of its patrons – their children. I feel that they would be even more respectful to the people surrounding them as a facility. I can't think of any better neighbor than someone who is going to definitely take care of their property. We all have had bad neighbors in the past who don't. That's just my statement and I do support the church.

3. Paula Price, 518 Fenwick Court – Thank you for your time. I think counsel pretty well said everything I wanted to say. I just want to say we are very good neighbors. I am a deacon on the church board. I've been attending that church 20 years. We're very good neighbors. Safety is number one with us and I can tell you it's always a primary concern, whether we're dealing with the pre-K or dealing with the youth. We do not have any plans – in fact we have – I'm kind of the enforcer – the bouncer – whatever you want to call me. But in being a good neighbor – I understand. I live on a cul-de-sac and mine is a much shorter cul-de-sac and I understand the cul-de-sac issues. But we – no one will be parking on Jean Marie, because I will see to that. We share our parking lot with Alcott. You know, when there are activities at Alcott, we all have difficulty. My children attended Whittier, and if you think Alcott traffic is bad I just challenge you to one day go down Brooks. I was so glad when they got to high school. But we are not trying to place anybody in jeopardy. We just want to be part of this neighborhood – we're already part of it. We're just simply making something better for these children and we want to – we hope that we have the opportunity to show that we are wonderful and respectful neighbors.

4. Edie Cordray, 4609 W. Heritage Place Drive – I actually have the privilege of working for both GoChurch and Go Kids. I'm just now becoming – or just became a couple of weeks ago – the associate pastor of GoChurch. I've been attending there since '07 and I was just a college kid at the time. I cannot tell you a place that's more of a family than GoChurch. And Go Kids is the same way. Look at all the people that are showing up to support us, and that's a true testament to what we do as a daycare, as a child care facility. We do love our families. We are a family. We will do anything for them and they will do anything for us. They are so great. I would like to make note of the noise complaint, because I lived for three and a half years at 120 S. Sherry, about three blocks east of Alcott Middle School. And when it comes to Go Kids and

GoChurch, the use of that property will be happening during the day for Go Kids, from 8:00 to 5:00 or 8:00 to 4:00. And from GoChurch, yes, it will be done by 10:00 p.m., but I would like to say that when you live three blocks away from Alcott, during football season, almost every night you can hear it three blocks away. And if that is something that Jean Marie is suffering with right now from Alcott Middle School, we are not going to be adding any more noise to that. We are across the street right now and they don't have that problem. So I just want to make note of that, because I did live there for three years and I heard it almost every night during the season. So it is something I do understand. I have been that neighborhood, but that is not something that GoChurch or Go Kids will be doing. I just want to express that we are a family and we want to be good neighbors. We want to – I mean we are – we have done anything that they can do. We let people park on our property. We let people use our facility for walking their animals and such – whatever dogs do on our property – and we allow that. And I'm just saying that we try to be good neighbors and we will do anything to maintain that relationship with our neighbors. Thank you.

5. Jacob Carter, 1405 Morland Avenue – Right now I run the youth group, which we meet over at 2101 on Wednesday nights. There's typically three of us – Paula, who you heard from, and either Matt or another gentleman, and there's about 20, at the max, youth, ranging from maybe the youngest is 8 or 9 all the way up to 16 or 17. So there's three of us walking across that crosswalk with those kids always supervised and walking back across for services. Any time that we have any kind of event or anything we always go through the neighborhood and offer come to our church. It's a free event. And most of the time we have a good reception from them and we went up Jean Marie a couple of months ago handing out flyers and stuff and we got a lot of good response from them for the church. So I just want to say, like Edie said, we are a family. We all want to support each other. So I just hope you guys support what we're trying to do with these kids.

6. Jennifer Howard, 4005 Potomac Drive – I am a paralegal for Richland Law here in Norman. Our son has gone to Go Kids ever since he was 9 weeks old and this year he will turn the age to go to pre-K. We were informed that the house would not be useable that they were planning on using for pre-K this year. They have tried in the past with building in some structures on their property of getting approved for some of these that they can put up until they can. They weren't able to get approved. This opportunity came up. The house was on the market for quite a while. So we sat and looked at it every day. And as you walk out the front door of that property you are looking straight at GoChurch. I don't know of anybody that would want, in a residential area, that they would want to walk out every morning and look at GoChurch. I don't know if anyone would have bought that property. We love the neighborhood. I have loved having my child in that daycare for the past three years. I look forward to him being across the street in a much better safe environment. Like they said, the house is not safe and it's to the point where it needs to be either used as storage or taken down. And our future plans are to build on our property, but this was a short-term fix for the daycare and for them to keep moving and not to be pushed aside and their business to suffer from it.

7. Mr. Lewis – One question. You said your child has gone to this facility. Do you have any concern whatsoever about them crossing Boyd Street?

8. Ms. Howard – I do not. I know the people of this school. We go to the church and we go to the school. This is a second home for them. These are the only people that have ever watched our child and this is a very important thing for us, because we want him to be in the best area and the best housing that he can be in during the day. I am very confident about his safety.

9. Dan Johnson, 2108 Reynolds Court – I agree with everything on the presentation that Carla gave earlier. My house shares the fence with the proposed house for 68 feet of it. I

bought that house to retire in and to have 30 kids outside my house when I do, that might not be possible for me. GoChurch is a good neighbor and I'd like to keep it that way. So moving into the neighborhood – I think that would hurt that. They have plenty of room over there to expand or put a portable building in or whatever, so I think that would be a good thing for them to do. Another concern I have is 30 kids crossing the street twice a day with two chaperones. That seems just crazy. Lindsey Street is going to be shut down in a couple of years. It is going to create a lot more traffic on Boyd, I think, when that happens. That's something to consider. Thank you for your time.

10. Sarah Oelke, 2117 Reynolds Court – I am both in the neighborhood affected. I am also part of the Go Kids family. My son, Carter, who is the one that – sorry – turned out the lights earlier – he has been going there since he was – before he was 6 weeks old. About the safety of crossing the street – I have no doubts with them. If they need a third or fourth person to get the kids safely across the street, that's something that they will do. They will not jeopardize the children's safety. In fact, last year when the two escaped convicts were in our neighborhood I heard first about it from GoChurch before the news ever said anything and before the public schools had released their lock-down statement. They actually had an officer on their property that day checking it to make sure the kids were safe and patrolling their property. Safety is the number one key to them. I've heard a couple people mention that expanding on their property would be easier. For a daycare, you are not allowed to have an outbuilding or a temporary building. It's not allowed for childcare facilities, so that's not an option for them. And like they did state, this is a short-term solution until they can get the buildings done. This is not something that's going to be there in five or ten years when people are wishing to retire and be home and quiet. These people are like our family. Carter loves them. They've been wonderful with him. The drop-off – I see the pre-K kids come and go every day – it's about the time that I pick up Carter. It's a very controlled group. They don't have kids running off 20 feet away that they're having to rein back in. They have their control over their children. About the traffic – they're not adding families. They're not adding extra cars. They're not increasing the amount of people that they serve. It's the same 30 families for the pre-K, most of which are dropped off at the main building. That's going to be there. It doesn't change the traffic at Alcott, of the church, of daycare. It's the same amount that's currently there. And by not changing the amount of traffic, it doesn't change the access by emergency services, especially if there's no parking on Jean Marie Drive, there's no way to block that street for emergency services to be there. And if they were to park by their facility on Jean Marie Drive, it's actually too close within an intersection for it to be legal anyway. Those were my points, unless you have questions.

11. Molly Rambur, 321 Foreman Avenue – I have a son who is four years old and has been going there since he was about five and a half months old. He was as well going to one of the Mother's Day Out programs over on University, because I work over on University now. So I've seen them walk across the street safely and I have no doubts in my mind. Justice, my son, made it clear to me that he liked Go Kids best and so congratulations. They are family. He wakes up every morning and he's ready to go to school and I love that. Ms. Olga, the preschool teacher, is fantastic. I love that she makes them say "Hola" and "Adios" every morning. That's great. And then he says some words I don't know. I will learn. But I have no doubt that they will keep these kids safe and I have no doubt that when it comes time to crossing the street they'll make sure that traffic has stopped and that they will get there very safely as they need to be. It's not adding traffic. We're not going to do anything different than what they're already doing. I appreciate that they are doing this and that they want our kids to have a better facility. So I completely support them.

12. Jan Cunningham, 2118 Henderson Court – I own two houses on Jean Marie as well as the one that I live in. My concern, being a retired realtor, is that the property value will drop immediately when you start putting in nursery schools and things like that. Another concern I have is the traffic and the safety of the children. I can't even imagine – we have cars parked

down Jean Marie to pick up children from Alcott. I went down there to see how many and I counted about ten, and I think that that's probably a small number that picks them up on Jean Marie because they don't have any place else to park to pick their children up. I feel that it's very much a danger. I think it's a detriment to the neighborhood and it does hurt the property value. Thank you very much.

13. Joe Garlett, 2118 Henderson Court – Jan and I live in the affected area here. Concern that we have is the entrance into Jean Marie – the cul-de-sac is a nice neighborhood. If you look at the proposed circle drive for this house, it would be very tight. And even if they extended it into Jean Marie, it'd be a tight drive. Added to the traffic that's already there. And the other safety concerns you all have heard. The biggest thing is the effect on property values. As Jan can attest, in the 40-some years that she's been a realtor in Norman, what something like this can do to property values of the neighborhood. Anyway I would respectfully request you to not allow this zoning change. Thank you.

14. Beth Patterson, 2913 Tropicana Avenue – I don't want to rehash everything that's been said, so I want to just address some things really quickly. I have real flexible hours. I drop my youngest son, which he is my youngest of my third to go through Go Kids – I drop him off really early and then in the afternoons I pick him up at varying times of the day. The number of kids that actually would be crossing the street at that time of day is not 30. I truly appreciate everyone's concerns. At first I was nervous about that. But there's not going to be some mass exodus of kids going across the street. They're very calm. They know their place – I wish I could run my house that well. So the concern of getting everyone across the street with the crosswalk – I'm really not worried about it. But it's not 30 children coming back is the same way. All of the parents who are aware of what's going on know we are not to park – go down that street – mess with it. We know that we need to stay across the street. Is it going to be a hassle? Yeah. But sometimes in the morning we park over on the west parking lot and have to walk to the other building. We have to be flexible if we want our kids to go to such a wonderful school. I have been in the afternoon – I pick him up anywhere from 2:30 to 5:30. It is chaotic from Alcott with all of the cars, however, I think there's a bigger issue of the students walking across the street. I'm more worried about the big kids not being controlled than the cars. If you were to say there's a transportation issue. Even though there's one crossing guard, they just come. They walk in front of my car. Their parents – all in front of Alcott. As soon as you get to Go Kids – there's kids walking but all of the traffic – majority – goes the other way. I'm not concerned about that. Again, I appreciate everybody being worried about it, but I'm really not concerned. I grew up in the neighborhood around Gingerbread. This will not be a Gingerbread parking issue. If you drive down Alameda, they're on the street and stopped on the right lane all the way down. And when I try to go to my parents' house, they're blocking Sherwood. This is not that same situation. We have some flexible hours, so it's not everyone coming to get their kids at the same time. The other thing I wanted to point out is on all the Xs the presentation, from what it sounded like earlier, a lot of the letters were more concerned about the Oxford House and not wanting this to turn into that situation. If that's truly the case, and that represented people who didn't want them or – I think it had a slash who wrote letters, the Xs wouldn't exactly be accurate. It may be for another issue. I totally respect them not wanting this. I get it. But this really is a great temporary issue. I've been here long enough to know what they've tried to do in the past and it just hasn't worked out. This really is our best issue and I would really appreciate your consideration.

15. Mr. Lewis – I have one more question. That's you going up and down that street dropping children off every morning and picking them up every afternoon. Can you help me understand in about a short minute how that works? Do you actually pull into the church parking lot and then they walk over to the current house? I'm not talking about the new one, but the current one that's there.

16. Ms. Patterson – Well, if you go before – like 7:45 to 8:00, you drop them off in the sanctuary. All of the rooms – every bit of that church is used for classrooms.

17. Mr. Lewis – So let me clarify. Then you pull into the church parking lot and drop them off at the church?

18. Ms. Patterson – Yes. And then when it is the designated time, then they walk – most of the time it's fewer than 10 – across. There's still traffic and you still have to be aware when we're driving into the school or into the church. And they walk across. It is extremely controlled and every single one of those kids knows their place.

19. Mr. Lewis – So help me understand, when you pick them up, how do you pick them up?

20. Ms. Patterson – Through the slides you could see the mulched parking lot next to the Shepherd's House, then we park there to go into the Shepherd's House to pick up our kids. That is probably, honestly, gonna be where I primarily park and all of the other parents. It is never super crowded unless there is a party. Which – any time there's a school event at any other school that's around there and you try to drive down those streets, it's the same issue. We're not any different, except we have less people. But everybody is going to park in that parking lot and then we'll walk right across the street following the crosswalk. We're so excited about this opportunity, we don't want to jack it up.

21. Mr. Lewis – So help me understand and clarify. When you drop your children off in the morning and you pick them up in the afternoon, you pull into the church parking lot. You're never stopping on Boyd.

22. Ms. Patterson – Never. I have never. It is only Alcott traffic that – I don't even usually wait to pull in there.

23. Darrel Dionne, 1708 Oriole Court – I have been a member of what is now GoChurch for over 30 years. I once was on the board of that church. I currently am involved with one of the groups that will use this house. We're a real threat to the community; we're ten of us, average age is about 60. It's probably scarier for us to cross Boyd than for the kids, because we don't have two adults who will lead us across. I appreciated the suggestions that were made about how we could remodel the Shepherd's Place house or build a new building. Having been once on the board of the church and having a reasonable idea of what our finances are, we are under 100 people. There are no fat givers in our church. So if they have suggestions as to how we can find the money to do those things, we'd love to hear them. The Shepherd's Place house – I was a member when we purchased it. This is a 100 year old farmhouse. I would love for us to be able to keep it up and continue to use it. Financially, it is just not feasible any longer. We want to be good neighbors, and we always have been good neighbors for the 30 years I've been involved in the church. We appreciate everyone's concerns. We are not trying to cause extra problems in the neighborhood. I, too, was worried about the safety of the kids crossing Boyd. That's the one question I asked when I learned that they were going to start using that property or wanted to. After I talked with the pastor, I felt at ease about it. I know the ladies – Edie, who you've heard talk – and the pastor's wife, Helen, who actually runs the daycare. Those ladies absolutely – you couldn't put your kids in safer hands. They are not going to let anything happen to the children in their charge. Thank you.

24. Stacy Shelton, 629 Jean Marie Drive – I'm a property owner at 629 Jean Marie Drive. You know, I'm seeing a lot of people here from the church talking, but they're not property owners. They do not have to live with the situation that already exists there. And it's a situation where that area is saturated with traffic. It's not just saturated. It is to the extent that it is extremely dangerous at all times when school is in session. Not only are we dealing with Alcott; we're also

dealing with OU. We deal with traffic back to I-35 and to 24th, which is a very busy business street. On top of that, we have a fire department that sits right there. One of the most important things that I think you all need to know as Commissioners is that we have already been denied access from this fire department and from emergency vehicles because of the traffic issues that exist. Passing this – allowing this application is going to be catastrophic at some point in time. We are going to be denied health care or life-saving treatment. A property has already burnt there because the fire department couldn't get to a hydrant because of the back-up and the, basically, parking lot that we have on Boyd Street. I think it's also important to know that nobody addressed tonight is that we're not talking about these 30 children with two people to escort them across a crosswalk. We're talking about two streets that they have to cross. The crosswalk is actually further down east and it goes across to Alcott and we have to come back Jean Marie Drive and cross Jean Marie Drive in order to get to this residence. Jean Marie Drive is already saturated. If you park two cars there – which they're not supposed to park there, but every day any of you can drive down there at the time that school's let out – you're going to see people parking up and down that street. You can barely get another car in between those. And so one more child – one child that gets out of that line – that gets behind the wheel of a car or in front of a wheel of a car that you cannot possibly see because there are two other cars parked along that street, is going to be hurt or, worse, killed. You know, I understand that you guys want this and we don't think you're bad people. That's not why we're here. The bottom line is that you cannot – you can put lipstick on a pig, but it's still a pig. This idea is a pig. You cannot put 30 kids who are 4 years old back and forth across the street at multiple times of the day, which does not cover the crosswalk in the school zone flashing lights. I don't mean to be disrespectful, Mr. Lewis, but you have 30 cars right now that go into a parking lot. They sit there. They get their kids out – the kids in car seats. And then they can ease back out onto Boyd. That is not what's going to happen here. We're talking about circular drives that would go onto Jean Marie Drive because, apparently, the City says they can't go on Boyd Street. So you've got the circular drives, where you can't get down there as it is, and it's not a through street – they've got to come right back. Thirty extra cars – and, I'm sorry, I'm a mom. I'm not going to let my child, in freezing temperatures, or ice or snow, or rain, walk across that street for the length of a football field or more. I'm going to drop them off at the house. And there is no way for anyone here to enforce the fact that they have to park at that parking lot. And, as a matter of fact, they've already had meetings there, and we've been assured that nobody will park on Jean Marie Drive. Well, that's not the truth. They have been parking on Jean Marie Drive. They've blocked crosswalks. They've blocked sidewalks. There's no enforcement here. If you guys have a police officer sitting down there and say you cannot park here, that's fine. But, as it sits right now, there are signs all up saying you cannot park here and every single day there are cars – multiple cars parking on Jean Marie Drive waiting for students up at Alcott. One of the other things I think is extremely important – we're talking about this as a church owning a building for daycare. This is not a church owning a building for a daycare. This is a privately-owned house. This lady right here bought it. She is not the church. And at the pre-planning meeting they told us the church was going to rent. You actually heard their own people here tonight say we're patrons. You heard one of them say their business will suffer. This is a business. This is not a privately owned church special use case. This is a business and, as such, it should be zoned as such. And I think you need to take that into consideration and we would certainly appreciate you to do that. Thank you for your time.

25. Elton Oelke, Reynolds Court – First, I want to thank everybody that's speaking up here on both sides. A lot of people have to muster up a lot of courage to come talk to you. It's not something they wanted to do. It wasn't part of our regular routine. We didn't ask to get into this controversy. But I'm kind of in a unique situation, too. As a father of four kids, I guess that destroys any stand I've got against zero population growth. I've got kids. I understand that – I love kids, and you've already heard from Sarah, who is my daughter-in-law, and my grandson is Carter, who you've already heard was instrumental in turning the lights on and off here. I'm kind of looking at this from both sides. I do have some concerns and I just kind of want to make sure

that you understand where we're coming from. We're not against kids. We're not against GoChurch. We're not against daycare. We just think it's a bad location. We think it just didn't seem like it was well thought out. It seems kind of almost audacious to buy a piece of property and then decide later we're going to get it rezoned without even talking to the neighbors first. It seems like we got the cart in front of the horse here. I'd love to see a daycare somehow work out for them. It just doesn't seem like the right location for it. As one of the people said, it is zoned R-1 which is low density residential and 30 people – 32 people is not low density. There's just no way to cut it. Traffic is an issue. We talk about crossing two streets. Well, when you get right down to it, you've got to cross three streets and cross the driveway at the church itself. That's a concern. I've heard some numbers here. The people that are here are speaking passionately from their hearts. We're not paid to be advocates or lawyers. We don't have all the right words to promote one side or another – don't know how to do that especially good, but when I listen to the fact that they're saying that 34% of the people that were against it – that protested it – to me, that sounds like a high number when you consider what the area was that most of the people affected weren't even in that 350-foot range, it seems like they're cutting out a lot of people that are affected by it. We can have a lot of church members and a lot of families that are affected, but they aren't there day and night and through the weekends and through the days. You've heard about the traffic count, and it may seem low, but it's very saturated at certain times of the day so it seems much more traffic than it is. There's times of day – it's not all the time, but there are times of day when traffic is an issue there. And I've heard a lot of comparisons about making things relative to something else and when you try and talk about, well, there's so many schools here – so many this or that it's already slowed down. I don't think, in all reality, you don't look at a piece of trash and decide to rezone it as a dump because there's something wrong with it now. We try and fix up what we've got. We don't try and accommodate. It seems like we – homeowners in the area bought because it was zoned R-1. We felt like we bought in a neighborhood that was going to maintain its value and we didn't feel like it was a place that was going to be changed and I felt like there was some sort of fiduciary responsibility to honor the commitment that's already been made to the homeowners in that area. I don't try and advocate for changes in Oklahoma City or a different state or Washington, D.C.; I don't live there. But I do live here and this is my backyard and so I appreciate your understanding and consideration of this matter and I hope that we can work out something where we can find another location to make this work for everybody. Thank you.

26. Hunter Rainer, 516 Jean Marie Drive – I'm rather exhausted; I'm sure you all are bored to death. Moving on from there, I would like you to know that I have a 20-month year old daughter. My wife and I just bought a house on Jean Marie last December, and at that time we did not know the Oxford House was two doors down; our realtor didn't tell us. We later found out. Much to our surprise, we were displeased. We can't move. Forked out all this money – but have drug and alcohol – fine, everyone needs help. The issue is the violence. The violence – the drugs that come in, the drugs that are going on, and it's on our street. So that's a safety concern. We also don't have sidewalks. By no sidewalks, I walk my kid down the street; my kid sees a toy that she runs after. I'm not even kidding you – she wants to pick it up and go to other people's cars. She also likes to try to get under people's cars. She's infatuated with them. But without sidewalks it's a lot harder. I'm constantly walking beside her, my hand behind her back, trying to push her over – like get on the neighbor's lawn because she almost got clipped the other day by Geek Squad guys speeding down the street because he wasn't looking – he was doing something on his cell phone for his job and speeding. I told him to slow down; he comes down and argues with me about it, and then goes back down to the end of the cul-de-sac to do his job. Of course, I reported him, but this is unnecessary. So bringing other children into an area – and parents into an area – where there is no sidewalks and people speed is a hazard. Our neighborhood is a parking area. It's not supposed to be – 8:00 a.m. – 5:00 p.m. – no parking. People do it anyway. You have roofs replaced, insulation, homes getting remodeled. There's always parking going on. We've had City trucks there. They needed to cut down trees because it's a hazard during the ice storms. Our street is narrow. I cannot fit my truck – my wife will not

drive my truck down the street if there's two cars. I kid you not. She will come back to the house and she will get me to ask me to drive through it and I'll have to fold my side mirrors in to drive down that street. It's not meant for parking, but people do. Alcott Middle School does it. The church has done it when they've used it already for their small groups. It's just not safe. By putting a driveway entering onto Jean Marie Drive, onto Boyd Drive, you're increasing this hazard. Also, when you park on the corner, this becomes a bigger issue, because as you try to pull out, you're in the middle of the lane. So when people pull in, and they don't have that line of view, you can get t-boned. And, also, if people park on that other and you come to pull in off Boyd, you might be that person causing that t-bone accident because you don't know a vehicle is there. So that is a major concern. Also, I know that there's going to be further construction on Lindsey and to enhance the freeway and everything in a couple of years. What's that traffic issue going to be? Where is that detoured traffic going to go? How is it going to affect Boyd? Is it easily going to double the traffic flow that's coming on there? It's been pointed out that, yes, they have a crosswalk, but to cross they would have to cross Boyd and also Jean Marie. Having a child, when it snows, rains, or ices, I would drop them off in front of that house. We can't afford it. If you talk to all the neighbors, you will find that we are in great discord and we agree that they're a good community, they're a good church – their character is very good, undoubtedly. But it's just not the right location. And that's the main issue. Thank you.

27. Johnny Malone, 635 Jean Marie Drive – It's the property just adjacent to the subject property. I've lived there for 20 years and I can tell you about the traffic there. At certain hours, it's very high. The traffic signals that they showed earlier – at certain times the traffic from Alcott will back up all the way to those lights and come to a stop. When that happens, the people down Jean Marie cul-de-sac are blocked in there. And so there are certain times that we can't get out of our neighborhood. And to think about adding a little bit more is just too much already. I think a lot of us had questions about the money they spent on the house over there – the money they spent on that they could have built a pretty good facility on the property they already own. That's my concern. Thank you.

28. Trevor Turner, 2504 SW 136th Circle, Oklahoma City – I have two boys, one that is 6 and one that is 3, that have been going to Go Kids. My oldest has been there since he was a year old and my youngest is getting ready to start the pre-K program later this year. For me, it would be very upsetting for them not to have a new pre-K program, or to not have a pre-K program at all, being that my older son has gone through it. I'm very passionate about it. We drive 14 miles to come to this school because we know how much they care and how much they love our children. Everybody keeps going back to a traffic issue – we're not increasing traffic. Traffic is not changing at all. The traffic is there. It is what it is at this point. We can't fix that. We're not increasing anything. And I think the other thing to keep in mind – we want to talk about the children walking across with two adults for 30 children. Well, let's keep in mind – how many of us have drove through or by a crosswalk in a school district and they've got one crossing guard. They can't regulate how many kids are coming across at that time. There may be 15; there may be 30. We don't know. But the key is they may also only be kindergarten age, so they may be one year older than what's in discussion here. Again, that's out of their control. But this is in the church's and in the school's control. So I think – like I said, my oldest has been there for five years now. I have yet to see a problem with traffic coming out of Jean Marie. I'm not saying that there's not one, because I don't live there. But I am saying that, coming in from the church parking lot, I have not seen a problem with traffic coming out that is going to be really affected, outside of Alcott School, anyway. Again, I think most of their frustrations with traffic are with Alcott, not with the church. Like I said, as a father, I'm not concerned with my two children crossing the street with the teachers that this school has. I think dearly of them and I think they have the best interests of our kids in their hearts. Thank you.

29. Olga Garcia, 3730 W. Rock Creek Road – I am the pre-K teacher in Go Kids. I am teaching for 15 years and in Go Kids I have five years. This is my fifth year. A lot of these parents know me because their kids graduated – I think this is the third generation that we have graduating from Go Kids. I was hearing about the problem with the traffic impact. We are not increase capacity. We have the same families, the same number of the children, the same cars in the same area, in the same parking lot. What will be the difference now? You have a very serious problem – but the neighbor has very serious problem because of Alcott. And I love Alcott. But it's something that we can't stop them. Go Kids will not be make that any deeper. We are crossing from this area to another crossing the street. I cross with kids every morning and it's not 30 kids. The pre-K program is a bilingual program – English and Spanish – because I am original from Venezuela. You notice my strong accent. But they have educate how to cross the street, how be safe in crossing the street. We have safety rules for crossing street. And I cross in the morning almost like no more than 6 children. And in the afternoon when we come back to the main building we bring like 14 – no more than 15 children because usually the parents pick them up before that time. But really my – I see that really we need a new building. We tried to find a solution in different way inside the area the GoChurch have now. Was not possible. In the house that we are right now – the Shepherd House – have more than 100 years. That house was there before Boyd Street. It's impossible with the condition in that house because it's too old. We try to put in very good environment for the children, but we need a new house – we need a new good environment for the children where the kids can enjoy the new area, they can enjoy the education. I think that house has everything that we would want it to. We can have computer lab. We can have little library. My goal is making the kids be ready for public school. And with the kids in public school – they are take the rules cross the street – how to be safe. We have a safety line – they can't cross that line. I don't think that accident can happen. Accident can happen everywhere. Accident can happen anywhere. But the problem that they are talking about – what Go Kids is going to bring to them – is about the problem that they have now with us. About the traffic impact that is already there. It's the thirty kids, it's the same thirty park. They use the same parking lot. What they are talking about? We're not parking in Mary Jane Way in that street. We're not parking there right now. We're still parking in the Go Kids and GoChurch parking lot and we will still doing that. We do not parking on the street. But we want to keep still the same very good neighborhood because I will have a little relationship with the neighbor that is behind me. When the tornado come to Norman she use our spot for bring the truck and fix their garden. And I told my kids you can't go outside because we have a truck that go by. And they are little persons. We are talking about no babies. If we talk to them, they listen to us. They are pre-K kids. They are little persons. They listen. They follow the classroom rules. They follow the outside rules. They say we use inside voices, they use inside voice. But I appreciate that you thinking about to these children a very good new way of life. Thank you very much.

30. James Barnes, 632 Jean Marie Drive – I think a lot of what we're seeing here is a difference between some youthful enthusiasm, really great intentions, and people that are property owners. I think if you want to talk about the traffic issue, if you notice a lot of them had to leave because after dark they can't see very well. I think a lot of them are afraid that they might be part of that problem of driving as well. Picture yourself – you've worked your whole life. You all are here late at night. You're getting at that point where you have gotten your final dream home. You've gotten your gardening going in the direction it's going to go. The landscaping. The interior of your house. Everything you like to own. And now someone wants to put 30 kids right next to you every day. There's your landscaping. There's your gardening that you're going to be out there. And that's a lot of what they enjoy. It's an older community. A lot of them raised their kids. They've got their grandkids coming in. And they are genuinely concerned about the traffic problem, about the kids having to cross multiple streets to get from here to there. And they're concerned about their property values that they worked their whole lives to finally get to a point and then, just like that, it could get washed. They're really concerned about it. Some of the questions was it's a small congregation, where are we going

to come up with the money? It's a church. You know you pray for it. God has a way for everything. And maybe this community here in this neighborhood can be a part of that solution. I don't know if that solution is selling that house, keep it as residential, the community gets together and builds a nice – and the whole community gets together. Between God and the community, I'm sure we can come up with some answers. But right now we've got a whole neighborhood that is genuinely concerned and scared to death about what happened to their life. And this has been brought up as a temporary solution. I work at the Postal Service. We just temporarily raised the stamp three cents – how many of you all believe that? It's a concern. And I just want you to take it to heart. Thank you.

31. Bill Gilchrist, 512 Jean Marie Drive – I want to make two brief points. The representative for the church pointed out in his presentation that there would be no amplified events, music, or voices take place at the house. I just want to point out that if you get 30 four and five-year olds playing out in the yard, they don't need amplification to be loud. If you live across the fence from the proposed daycare, you're going to be affected. There are people in that 350 foot radius that are going to be affected on a daily basis by the – not only from the activity crossing the street, and the traffic on Boyd Street, but they're also going to be affected by the noise of the children playing. Secondly, the church would like you to feel that the Oxford House is a separate issue. In the current arrangement, with the church and the daycare facilities across Boyd Street on the south side, they are somewhat insulated from the Oxford House. By moving the daycare across the street, they're bringing themselves into greater exposure to the nine men that live in Oxford House with undetermined criminal records simply because most of those residents, because of their drug and alcohol issues, have had their drivers license revoked and they rely on public transportation daily. In Norman in that area, the City bus picks up on 24th Street and Boyd. They are required to be – gentlemen who cannot drive and live at the Oxford House to walk directly up Jean Marie Drive, directly adjacent to the proposed daycare center, turn right directly in front of the daycare center, and catch the bus, and they're going back and forth. They often work at different times of day. They're going past that area at different times of the day. The children that are going to be cared for at the proposed daycare there have been brought into much closer proximity and contact with the gentlemen that occupy the Oxford House and I can tell you from experience – I live right next door to the Oxford House. There is relapse weekly there. There is great turnover in the occupancy there. There has been drug overdose deaths there. There are people who are evicted from that facility at all hours on a weekly basis because of drug and alcohol use. They test – they have drug and alcohol testing. Oxford House is definitely part of this equation. I just wanted you to consider that. Thank you.

32. Steven Paizis, 641 Jean Marie Drive – I live on the opposite corner. A lot of stuff has been said already. Other people spoke about both sides and everything. Not to go over the same thing, one big thing is, once again, Jean Marie – the corner, when school is out – I'm sorry to repeat this part – there are signs up. People still park there. There's rules. It's a state law, I guess, put signs up and people are breaking it. Once again, how are we going to monitor who is parking there? At our first meeting that we had, we did state – they were saying that nobody is parking on Jean Marie or in the driveway. At a certain time, you are allowed to park there. But it's such a narrow street, those extra cars that will be there, they were parking in the driveway, they actually block the sidewalk on Boyd. Going down Jean Marie there's no sidewalks. When there are cars parked, even in the evening, everybody has to walk in the street, no matter why. If there is a car parked there in the evening right off the corner, cars coming around that corner you might not see people in the street – kids in the street, even kids out in the street. Just exiting Boyd – I'm sorry. I'm trying not to repeat so much. I know this is redundant. Exiting Boyd in the morning – I drop my son off at the high school. I leave at about 20 after eight. I'm waiting there sometimes five minutes plus just to get off. I know it is Boyd – Alcott traffic and everything else. It's just so much going on right there already that's it's there. Now, I have three boys. They are now 21, 16, and 13. They are the greatest kids in the world. They listen to everything I've told

them. As little kids, they listened to me. Anybody really believes that? I don't think so. When they were 4 or 5 years old and told them not to do something – a ball ran that way or a paper flew that way or whatever – they're going to go running after it. Now, I know they have the safety with the kids there to go across the street with the teachers. I'm sure the teachers are capable of it. Sure they can do it. But, once again, it's the kids – it's the safety of the kids. And down the block there are a lot of elderly people with problems. Ambulance has been called out several times already. I actually had to call an ambulance out to my house. I'm right on the corner. They were there. But if there's cars parked there, or there's something there, or something in the evening, those extra cars there – and they are parking there. I keep hearing they're not. It has slowed down since the last time I called about it, but what's going to happen six months from now? When little Johnny is being dropped off at school again. This Commission has a duty to create a safe environment for everybody – down Jean Marie – to make sure that everybody is safe. And I feel it's just not the matter of the church – nothing against the church. We want them to succeed. One of the letters that they stated they'd been there – I'm hearing more years – but one of the letters that they first handed to us said they were there for more than six and a half years. Well, if you're in my house and something is broken, I may not have the money today, but at least I try to fix a little bit each week, or each month. Next Saturday I'm blowing insulation up in my attic to save money. About a year and a half I saved for almost 15 to \$2000 to blow insulation up there. You don't have to do it all at once. You have to maintain it little by little so you don't have this problem. One hundred year old house. I was in New Jersey – Morristown, New Jersey – very historical town. There's houses over 200 years old. They may not be in great shape but they're 200 years old. You have to maintain it. I think it's a poor excuse to say the house is too bad that we've got to move across the street. Well, if they couldn't maintain that house, and there's no funding for that house, what's going to happen with the house across the street? Thank you.

33. April Cole, 302 North 4th, Noble – I wasn't going to speak, but every day for the last three years and this past year, on a transfer, I drive to take a child to Alcott and a child to Go Kids. We transferred to Norman basically so my daughters could be in the same area with one of them going to Go Kids and Jackson half the time and then Alcott. The traffic, when you pull in – because I go to circle at Alcott. The crossing guards are there. Most of the traffic is parked across in a church that's adjacent to where Alcott is. My whole thing is there's not going to be any extra. They're not taking extra kids. They're not building the program. They're going to work with what is already there. In the little parking lot where the Shepherd's House is, every morning when I'm there, never is there more than four cars, because they park in the big parking lot and walk across. So even if they did the circle drive or walked across, they're not going to be transporting 30 kids across the street. It's more 10 to 15 with two adults, and then the parents will be walking their own children on the crosswalk. It's already set up for a school setting. If you have any questions about the traffic, I would be happy to answer. But there's also officers that sit on that street daily – pretty much right there past the church, between the fire house.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Lewis – Certainly this is an issue that is challenging. And we, as a body, are a recommending body to the City Council. The City Council makes the final determination. Things that I've heard this evening are many. I've heard traffic is an issue. I've heard property values will suffer. I've heard there's noise. And I've also heard parking on Jean Marie. I've encountered parking problems before, especially when there were signs present, and I had no problem picking up the phone and calling our fine Norman Police Department and asking them to come address the situation. If parking is that much of an issue, I would hope that the residents of that area, or anyone else, would call our fine Norman service and ask them to come address that as the city ordinances apply. In regards to noise, I understand there's going to be 25 to 30 children playing. But I also understand there's a school with 760 people that are playing as well. I can't imagine that 30 more voices that close to a neighborhood is going to make a difference.

As far as property values go, I've been a resident of Norman probably going on 25 years now. It's a great place to live. I've been a student of the University. I've driven up and down Boyd many, many times. And in that travel I remember seeing the Shepherd House – I did not know it was called that – was a shack that was overgrown with weeds. I remember when something happened to it. I had no idea what happened to it, but I remember slowly and progressively those weeds and that overgrowth began going away. I remember it being painted. I remember the roof being repaired. And I thought to myself, wow. I see a house that is being refurbished. And to me, if I had a home in a neighborhood that was in disrepair, I would be more concerned about that type of property bringing negative values to my property value than a home that's in good repair. As far as traffic goes, I will be honest with you. I came to this chamber tonight set on voting against this item. I had several concerns. One was the safety of the children crossing that street. Others were the Oxford House down the street and the safety of the children. But tonight I've come to this chamber and I listened to both sides and I have to make a balanced recommendation to our City Council. In doing that, I've taken into consideration safety first and foremost. I've taken into consideration traffic. It didn't dawn on me that this not a new development. The traffic is already there. The children are already there. I really don't see that anything has changed. I know this won't please everyone in the room, but I think it's the right decision and I have to look back knowing that I made the right decision in hearing both sides. And I will be supporting the movement of this to City Council.

2. Mr. Gasaway – I think what we've seen tonight is what we have is a wonderful childcare program that needs a new location. I commend you all highly for your enthusiasm for it. But I think the other issue we have to look at is, when any kind of enterprise needs a new location, is that new location an acceptable location? And I'm not sure that's the case here. This is somewhat of a business. I mean, if this were KinderCare, it would require, I believe, a CO zoning area. This happens to fall, since it's part of a church, you can get a special use permit for a church and for a child care center. It's perfectly legal. It's an exception that is in the books for a specific reason. But is this location the best for that special use permit? This is an entrance to a residential neighborhood. I think everyone that we saw speak tonight picked that location knowing that to the east there was Alcott, which is a huge school. They knew the traffic problems. To the west is a fire station, which brings fast, loud trucks. To the south is a church, which I'm sure for years has been a wonderful neighbor. All the residents of this neighborhood knew of those when they moved there. Unless I'm missing something, there is nothing on their side of the street, other than these institutional uses and their residences. This would be the first thing to encroach into a residential area. While I would like to -- and I hope that there is a solution, either another location or something at your church location – I just can't support encroaching into a residential neighborhood.

3. Ms. Pailles – I kind of second Mr. Gasaway. I worked in daycare for a while and had a daycare home for a while. Yes, you can cross 30 kids across the street safely, but it is surely not ideal. My objection here it's kind of a matter of scale. In a residential neighborhood, 30 kids is a lot of kids going to a residential area daycare. I had five in my daycare home – occasionally eleven. Thirty kids is just a lot of kids. It's kind of inappropriate scale for a residential area. Also daycares are busy places. When I was working in daycare, we took the kids on field trips three times a week. Now maybe you all don't go on field trips. I don't know. But that means, if you do, that means you're crossing the street an extra time a day to go get them in the van. If you're not crossing the street to get in the van, the van could pull into your circular driveway and you're loading the kids right next to Boyd Street, which is – I know you watch the kids, but that's not ideal. It's a busy street. It seems inappropriate in scale and location for a daycare, and this is primarily a daycare. It's only secondarily a church building. It's primarily a daycare.

4. Mr. Boeck – I've been thinking about it a lot. There's been a lot of comments, positive and negative. When I came here, what would sway it one way or the other? I guess the problem I have with this solution is I didn't see a back yard. This house has a nice front to the

street. I'm concerned about crossing the street. I'm not concerned about the traffic. But when I look at – I live in the same neighborhood as Gingerbread and those kids are outside all the time. They've got a great yard to play in. It's silly to not have any yard to speak of that I can see. The concerns with crossing two streets and the concern with what's available for yard to play – there's yard across the street, I guess. There's a play area by the old house. I guess I still can't understand why couldn't you fix the house up a little bit every year for the last ten years – five years? Because that's what you do with a house. I know the congregation is small. I've worked with churches that have one big donor; I've worked with churches that don't have any donors that are big. I guess I just don't see this as being the best solution.

5. Ms. Gordon – I just wanted to quickly state I agree with everything the three of you have just said. Most of the comments tonight seemed to me to have been about the traffic problem. I'm not going to speak about that; I'm not an expert. I don't know if it would make it worse. It's not good. It's safety and all those concerns and they are concerns. But I can't help getting past the volume of complaints from the neighborhood. This isn't just a few houses. This is almost the entire neighborhood that doesn't want this. I get the impression in what they've said that it's not that they don't think this a great program, it's a good church and they're all good people. It's really easy to be a good neighbor when you're across the street. It's much more difficult thing to be a good neighbor when you're across the fence. It's a small yard and it's a lot of kids there. I think – and I just want to stress, too, what Jim said. It just doesn't seem like an appropriate encroachment into a neighborhood. The last thing I want to say is it's been mentioned a couple of times tonight that much of the volume of these protests have been regarding the Oxford House, I believe is what it's referred to. I just actually scanned through the letters I have here real quickly, and actually the majority don't mention that. The majority mention all the other things we've been talking about tonight – the safety issues, the noise, the traffic, parking. Even the ones that did mention the Oxford House – it was mentioned within the context of all the other problems. It's not my impression that that is the number one reason why most the neighbors don't want this in the neighborhood.

6. Ms. Bahan – I'd like to add, also – and I agree with the other statements that have been said. My biggest issue is the safety of the children. I just can't visualize 30 kids walking across that street at 8:00 in the morning and 4:00 in the afternoon – or 15 or however many there are – without there being some safety issues involved here considering what else is going on there. I cannot get past that. I, personally, wouldn't have a problem with the special use permit for the church, and remove the secondary childcare – just ask for it to be special use for the church. I could accept that. But I don't think I can accept the addition of the secondary part for the childcare.

Tom Knotts moved to recommend denial of Ordinance No. O-1314-41 to City Council. Cindy Gordon seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Tom Knotts, Cindy Gordon, Sandy Bahan
NAYES	Chris Lewis, Dave Boeck
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend rejection of Ordinance No. O-1314-41 to City Council, passed by a vote of 6-2.

* * *

RECESS

9:16 to 9:25 p.m.

Item No. 10, being:

O-1314-37 – BEN L. GRAVES REQUESTS CLOSURE OF THE STATUTORY RIGHT-OF-WAY OF 12TH AVENUE S.E. WITHIN 2620 AND 2638 SOUTH CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. 2620 S. Classen Survey
4. 2638 S. Classen Survey
5. Letter of Objection – AT&T
6. Letter – OG&E

PRESENTATION BY STAFF:

1. Mr. Danner – You have before you basically a housecleaning proposal. In Oklahoma you have statutory rights-of-way on section lines and in Cleveland County the width is 66 feet wide – 33 from center. The applicant is requesting that the right-of-way be closed through his property. There are no City owned utilities within this right-of-way. The utility companies were notified. We had one objection, and they have withdrawn that objection. OG&E has agreed to the closure, but is willing to work with the applicant. Staff recommends approval of the closure. I do not know if the applicant is even here.

PRESENTATION BY THE APPLICANT:

None

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Jim Gasaway moved to recommend adoption of Ordinance No. O-1314-37 to City Council. Tom Knotts seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Tom Knotts, Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-37 to City Council, passed by a vote of 8-0.

* * *

Item No. 11, being:

O-1314-15 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 419, NON-CONFORMING USES; AMENDING SECTION 431.7 BY CLARIFYING THE LOCATION OF OFF-STREET PARKING SPACES, NOTICE PROVISIONS AND PENALTIES FOR NON-COMPLIANCE; AMENDING SECTION 441, THE BOARD OF ADJUSTMENT; AMENDING SECTION 450, DEFINITIONS, OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Ordinance No. O-1314-15

PRESENTATION BY STAFF:

1. Susan Connors – I held a study session with you in November regarding these zoning code amendments, but I'll go over them quickly with you again. The first one, regarding the off-street parking spaces – we have right now restrictions regarding parking surfaces for residential districts, but we don't have that same restriction for commercial districts. So what this amendment would do, first of all, would be to require that parking surfaces in commercial districts be a hard parking surface, like we require for residential. Then we would also make a revision that notices for illegal parking may be issued to the property owner, and if we can't find the owner of the car, then we could cite the property owner if a car is not parked properly on a piece of property. Then we are deleting a section of the code on violations that was there because we've added this new language. So basically we are adding language that gives us some additional provisions to regulate parking.

Then the next item is -- in the special exceptions section for the Board of Adjustment, they have a portion of the code that gives them allowance to have a non-conforming use that is destroyed by fire or an act of God – the allowance to build it back, but only if they find a compelling public necessity to allow continuance of that use. We are proposing that that section of the special exceptions be deleted, and that language be added to the non-conformance section of the code that would simply allow a non-conforming use destroyed by act of God or a fire or some disaster, which does occur in Oklahoma, that that use could be put back in exactly the same size and location that it was previously with no changes or additions. That's really common language in many codes that I've been aware of.

Then we're also adding a special exception amendment to allow a mobile home and a house on the same lot in the A-2 zoning district where there is a medical emergency and where we have a note from a doctor indicating that there's a medical emergency and need for someone to take care of someone on the lot. That would be allowed for a period of up to three years by the Board of Adjustment, and then they could renew that at whatever time slot the Board of Adjustment allows that to continue, until its no longer needed, and then the mobile home would have to be removed. That would be on a lot in A-2 of at least five acres.

Then we're also recommending amendment to the Board of Adjustment language to allow an expanded allowance on variances in the code. Right now a variance is only allowed for height, area, the size of yards, and open spaces, generally. So what we're proposing is that there would be an allowance for a variance of any development standard in the code. That would include things like the exterior appearance, landscaping regulations, building coverage, impervious areas, lot width, minimum lot area, and floor area ratio. Those types of things currently aren't allowed to be brought to the Board of Adjustment to be considered. Of course, the regulations and the criteria for granting a variance wouldn't change. And just because it's brought forward doesn't mean it would be approved. But that would allow people at least the opportunity to have that application process.

Then, finally, we are adding definitions of a garage, which we don't currently have and, in the recent past, it's been a problem not having that definition. Then we are also improving the definitions for building and structure. Those are the amendments that we are proposing. I'd be happy to answer any questions.

2. Ms. Gordon – On page 11-4, the citations for illegal parking – issuance. Is that just really kind of nothing content-wise is necessarily a change; just the language has been cleaned up?

3. Ms. Connors – Actually, no. You mean section c? Actually, right now we have to only post the vehicle. Very often we can't find – we have to send the letter to the owner of the vehicle. We can't run tags; Code Compliance Officers cannot run tags, and the police can't run tags for us. We can put a note on the vehicle, but it's not a very effective way to get compliance with illegal parking. So what this will allow us to do, if we cannot determine who the owner of the vehicle is, then we will be able to cite the property owner where the illegal vehicle is parked. That will probably be quicker compliance because the property owner doesn't want to get tickets.

4. Mr. Boeck – Has that been tested in the court of law in other places as a more efficient way?

5. Ms. Connors – Well, certainly, the Legal Department has reviewed all these amendments and deemed that they're appropriate.

6. Ms. Gordon – The wording in here is weird. It says "the inspector finding the vehicle shall take its registration number and any other information displayed on the vehicle which may identify its owner". Well, if they can't check registration, who has their name on it? How else would you identify its owner on the vehicle?

7. Ms. Connors – It's my understanding that potentially – we can check the VIN number. This has been a pretty major problem.

8. Ms. Gordon – I'm concerned about the time and the delay that all of this takes. I mean, if this is the most efficient way. But, my gosh, the vehicle will be sitting there for 30 days by the time it's moved.

9. Ms. Messner – I think the major problem, Commissioner Gordon, is cars in parking lots of apartment complexes. We're stickering the vehicle and it's not getting moved and we don't know who the owner is if it's a large complex. Or we're seeing cars parked in back yards and we can't see tags. There's no way we can check the VIN number, so we'd like the option to ticket the property owner as opposed to the owner of the vehicle, because they may be different folks – maybe a landlord/tenant type situation.

10. Ms. Gordon – Oh, I'm all for it. But the timing of all that really doesn't change?

11. Ms. Messner – No.

12. Mr. Knotts – Does the mobile home for emergency medical allow for an additional septic system or connection?

13. Ms. Connors – Yes, we put language in here identifying that they have to meet any City requirements. Well, we didn't put that in there; we can add language to the special exception that they would have to meet any sanitary sewer – we did check; they can connect into a septic system.

14. Mr. Knotts – It has to be an existing septic system, or can they have a separate system, because sometimes those systems are really not accessible.

15. Ms. Connors – The County would have to approve the connection to the system, so it would have to meet the County's requirements for a septic system.

16. Mr. McCarty – Well, moving in a trailer house, you've got to get a permit. Right?
17. Ms. Connors – Yes.
18. Mr. McCarty – So the City is going to have inspections as well.
19. Mr. Knotts – The problem is that, in A-2, if you have a 10-acre property, you're actually only allowed one septic system in that and the parking place for the mobile home could be a problem.
20. Mr. McCarty – How are you only allowed one?
21. Mr. Knotts – When I tried to put one in, they told me I couldn't.
22. Ms. Connors – Who did? The City?
23. Mr. Knotts – The City.
24. Ms. Connors – That's because right now in A-2 you are only allowed one house per lot. So we're allowing a temporary second unit, and so whatever is required to make that second unit up to code, we would require that.
25. Mr. Knotts – Well, I think you really need to say something that, if need be – I mean, this would be a permanent installation of a new septic system for that temporary mobile home.
26. Mr. McCarty – But if it's temporary, you could also put above-ground storage in. They do it in job-site trailers and stuff all the time.
27. Mr. Knotts – Some of your jobs may last three years, but a three-year above-ground system is not a real safe system, really.
28. Mr. McCarty – Is there some language we want to change on the septic thing that you feel comfortable with?
29. Mr. Knotts – You've made note of that and I just would like to be sure that that's a possibility.
30. Ms. Connors – We will carry forward something to City Council to explain that. And it will be in the minutes.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend adoption of Ordinance No. O-1314-15 to City Council, with Mr. Knotts' concerns noted. Chris Lewis seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Curtis McCarty, Jim Gasaway, Roberta Pailles, Tom Knotts,
Chris Lewis, Cindy Gordon, Sandy Bahan, Dave Boeck

NAYES

None

MEMBERS ABSENT

Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-15 to City Council, passed by a vote of 8-0.

* * *

Item No. 12, being:

PRESENTATION OF THE COMPREHENSIVE TRANSPORTATION PLAN (DRAFT) AND PUBLIC MEETING

ITEMS SUBMITTED FOR THE RECORD:

1. Comprehensive Transportation Plan (Draft)
2. Appendices

PRESENTATION BY STAFF:

Mr. Riesland, project manager for the Comprehensive Transportation Plan, introduced Eddie Haas with Freese & Nichols.

PRESENTATION BY THE CONSULTANT:

Eddie Haas, Freese & Nichols, the consultant for the Comprehensive Transportation Plan, presented an overview of the plan in a PowerPoint presentation. The Public Hearing is tentatively slated for the Planning Commission meeting in April.

AUDIENCE PARTICIPATION:

There were no members of the public in attendance at this time.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Knotts – One of those little corridors that I tried to keep alive all the time that I was at the University, and that is Constitution at Jenkins and Imhoff.
2. Mr. Haas – This still shows that offset, but on the map in the back we have made that connection.
3. Mr. Knotts – Just as an FYI, Constitution is 77T, from Classen to Jenkins. I required that the bridges over on Constitution would support three lanes. So the idea was to have, once that connection is made, you could designate two lanes out entering the Lloyd Noble Center. I think it needs to be constructed right now, because the land is empty.
4. Mr. Sturtz – There are currently conversations ongoing about that and aligning that offset there of those two streets along Jenkins. We've actually had some preliminary meetings. OU is looking at doing a project to rework a portion of Imhoff there in front of the Lloyd Noble Center and they stopped in anticipation of looking at what can be done to align that and make that a more useable area.
5. Mr. McCarty – I had a question for staff. I saw some dates up here. Does this mean that in April we're wanting to adopt this, or is it just going to be something we accept? What is going to be the long-term goal of this?
6. Ms. Connors – The goal is to adopt this as the Transportation Plan. We were trying to find venues, and this was one, for public meetings. We advertised this so that the public could come and give input into this. So at the public hearing, we will be making a recommendation to City Council for adoption.
7. Mr. McCarty – So, if we have questions about things in here, who do we contact?
8. Ms. Connors – You can contact David Riesland. We will get you his email.
9. Mr. Boeck – I don't see any roundabouts anywhere.
10. Mr. Haas – We have not identified specific areas for roundabouts. What we have said is key linkages need to have functional class and/or number of lanes. I presume you're alluding to Lindsey. But Lindsey there has been, in Appendix D or E, is kind of a conceptual idea of the

Lindsey corridor and there are some roundabouts in there. But we did not want to be specific in saying you have to a roundabout here. In that special corridor it is still to be determined.

11. Mr. McCarty – From the City's perspective, what's the highest priority that we need to look at in the top two or three or five items right now that Dave identified that are big problems for us?

12. Mr. Haas – In the action items to be implemented as soon as possible, these would involve the adoption – adopt the thoroughfare plan; adopt the bicycle and pedestrian plan; adopt the Norman engineering design criteria and standard specs – those are kind of wrapped into all of these things. Some of the complete streets policies. These are all tied to this plan. In order to implement this thing, we need adoption. We need to say, yes, we're doing this; we're adopting this thing. Another key action item is adopt the traffic impact assessment preparation review guidelines, so that staff has the ability to be looking at traffic implications as it relates to new developments. Revitalize the City's traffic calming program. Already some good work that's been done by staff as it relates to the traffic calming – traffic circles and things like that. Submit the CTP – this plan – to ACOG, so that the regional NPO can see that this is our statement of transportation.

13. Mr. Boeck – This is like any other plan – like the 2025 – it's subject to revisions and changes.

14. Mr. Haas – That's an excellent point. This is the vision of how we're moving forward based on the work that we've done to date as it relates to your future land use – 2025 – and modeling that's been associated with it. So it's a guide so that things are going to change over time. You're going to have development occurring. You're going to have changing ideas and maybe changing trends. So this needs to be reviewed, at least every ten years, if not sooner, depending on how trends are going or how things are progressing in the community. But then we also have specific project recommendations.

15. Mr. McCarty – I'll look through that. I was just kind of curious. So, in your professional opinion, you typically see transportation plans and updated land use plans being done at the same time?

16. Mr. Haas – Yeah. They really kind of need to be done hand-in-hand. The Norman 2025 Plan – I think that's – how many years old, now, Susan?

17. Ms. Connors – It's almost ten now – 2004.

18. Mr. Haas – And we've talked about this with staff as part of a planning charette – what areas might have some change? We felt that the plan was a good basis of how we could at least model the community. So that served as a basis. We recognize that there could be some changes. I think you've seen some things on potential mixed use areas, or maybe some of the special area planning that could be occurring. What we started from was the 2025 Plan – so the vision that was set there. What are the traffic implications that stem from that? But to add to the flexibility if there are some changing dynamics, that's where we have standards that have flexibility in terms of different roadway configurations.

19. Mr. McCarty – So if we adopt this, does that mean every time that we deviate from this that it's got to go before somebody for approval? Does it become a live document that, if we deviate from the plan, that we come back for approval?

20. Ms. Connors – I've never seen it handled that way in other communities. Unlike the comprehensive plan, which indicates that if you're going to change it, you're going to amend it

– that doesn't usually happen with a transportation plan. It's certainly a policy document and, if it's strayed from, then it's noted in the approval process. But don't usually go through and amend that plan because we don't actually want to amend the plan.

I just want to make one other comment. We felt that we needed to do a transportation plan because we've never really done one, and because of the cost of doing one from scratch that's really what has postponed the land use plan amendment. I know that they'll be looked at and they'll be done hand-in-hand, and, of course, we can amend this document, too. It will be like the comprehensive plan. If we need to amend it, we can.

21. Mr. Boeck – I guess my only comment is one of my issues has always been with the lane widths and the configurations of major intersections – age accessibility, or just accessibility in general – about how pedestrians can use those intersections and navigate them more simply. I know it has to do when you've got six lanes or eight lanes – I haven't heard that being addressed.

22. Mr. Haas – Well, it's indirectly part of the sidewalk plan. You've got gaps in your sidewalk network where you'll have, maybe a portion going up to an intersection, then you don't have on the other side and the pedestrians are maybe crossing this way when they should be crossing. So that's part of the solution. But really it's part of sidewalk crossing and there are standards on appropriate striping and things that need to be accommodated. The idea is that we're identifying certain facilities that are targeted for the larger, principal arterials, for example, within the urban core of your community. So there are certain corridors that are going to be larger roads, just by way of the nature of cross-town movement. Then the smaller the roads – generally the section is attempting to be smaller so that it helps to facilitate pedestrian movements.

23. Mr. Boeck – What I'm thinking of is like the corner of Main and 36th – the mall is there. There's a grocery store there. What I look at are neighborhoods where, if you were elderly, you could live and do all the shopping and stuff that you needed without having to get in a car and drive. But when you've got an intersection like that, it's really hard to navigate in a pedestrian manner because of the size of those intersections. How do you address those?

24. Mr. Haas – Those are major facilities. You've got certain locations where your commercial is. You need to walk certain distances. It's really more of an operation of the intersection – timing of the pedestrian crossing. There's only so much you can do, other than if there are changes in land use where you might have supporting commercial or neighborhood retail to support and get people out of having to make those bigger walks to those high-traffic areas.

25. Mr. Gasaway – On the medium range projects, number 1 is Porter from Acres to Alameda. Where is Porter further north from there? Page 35. Where does the rest of Porter to the north of that fall?

26. Mr. Haas – Oh, that's the special corridor. We've modeled that as a three-lane. Are you suggesting that that is a project that should be considered sooner?

27. Mr. Gasaway – No. I just didn't see it on there. The rest of Porter.

28. Ms. Connors – The Porter Plan went from Robinson to Alameda, and so when we think about Porter it's Robinson to Alameda as the corridor.

29. Mr. Riesland – It's listed here. It stays four lanes north of Acres. It wasn't going down to three.

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Item No. 13, being:

MISCELLANEOUS DISCUSSION

None

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Item No. 14, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 10:33 p.m.


Norman Planning Commission